

ORIGINAL

SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL PUBLIC MEETING

**September 28, 1995
Anchor River Inn
Anchor Point, Alaska**

VOLUME 2

COUNCIL MEMBERS PRESENT:

Chairman Roy Ewan
Lee Basnar
Robert Henrichs
Fred John, Jr.

Gary Oskolkoff
Ben Romig
Ralph Lohse

MEMBERS OF FEDERAL OR STATE AGENCIES:

Taylor Brelsford, Coordinator
Dick Marshall
Rachel Mason
Greg Bos
Robert Willis
Bruce Greenwood

Steve Zempke
Rod Kuhn
Ted Spraker
Mark Chase
Hollis Twitchell
Mike Coffeen

MEMBERS OF THE PUBLIC WHO TESTIFIED:

Gerasim Oskolkoff, Sr.

PROCEEDINGS
SEPTEMBER 28, 1995

(Tape: 310-1843)
(0045)

(On record - 8:50 a.m.)

CHAIRMAN EWAN: I'll call the meeting of the Southcentral Alaska Subsistence Regional Advisory Council to order. I don't think we need the roll call since we just recessed. What I would like to do this morning is continue discussions on Homer rural area and Kenai rural area. I want to know if there's anybody in the audience that want to make comments on this first and then have the council discuss this further. Is there anybody else that wants to speak on the Homer rural area C&T determination? Or Kenai rural area? Maybe, Taylor, you could show us on a map the areas we're talking about.

MR. BRELSFORD: Sure. Roy, just to put everybody back in focus on this. In all of the previous discussions of the Kenai Peninsula C&T determinations, the council has focused on a number of communities but we left for later any consideration of this important zone just north of the city of Homer. So this is blocked out as the Homer rural area. And essentially it runs -- the road, it runs -- once you get beyond the road -- the Sterling Highway, through Anchor Point, these isolated settlements. It includes the community of Nikolaevsk and runs all the way to the Fox River. So it includes some of the East End Road settlements, the individual households there.

The Kenai rural area, we were told in some of the discussions together that there are some isolated households located outside of the Kenai non-rural area. So what we've said is, any isolated households in Unit 15A or 15B would be constituted as the Kenai non-rural area. They're not satellite communities or clusters of settlement, particularly, but individual households. I think our concern right now is, especially in this Homer rural area where there are some fairly distinct communities and distinct harvest practices, residential communities. Up in here, you guys will have to teach us something about it because we're not able to compile any statistical information about those isolated households.

So the purpose of the agenda item this morning is to see if there's any remaining public testimony and then I think, perhaps, the council would want to discuss among themselves any possible actions on those.

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1
2 MR. MARSHALL: Taylor, we were discussing just
3 before the meeting began the problem we've got with the
4 remainder of 15C off the roaded area that is not either
5 Seldovia or Homer rural area that we've got to deal
6 with sometime too, whether we call it the remainder of
7 15C, whatever. There's still another area that remains
8 to be -- that remains on the table for C&T det- -- you
9 might point that out, just generally.

10
11 MR. BRELSFORD: Okay, to follow more specific-
12 ally, we, you'll recall, had little bits and pieces of
13 information about Halibut Cove and China Poot Bay at
14 one point. There are, again, isolated settlements
15 -- individual settlements distributed across the south
16 side of Kachemak Bay. They are not a part of the
17 community of Seldovia, more further west than Nanwalek
18 and Port Graham. We think they're very, very small in
19 number and we don't have much in the way of statistical
20 information but perhaps to be comprehensive, to leave,
21 you know, nothing out, we would want to discuss these
22 -- the south side of Kachemak Bay. This area south of
23 the Fox River, basically, and outside of Seldovia. So
24 that's the remainder of Unit 15C that Dick's referring
25 to.

26
27 MR. KUHN: Would it helpful to bring this map
28 around on this wall?

29
30 MR. BRELSFORD: I think we actually have extra
31 copies of this one. So the answer is yes. Let's try
32 and get another one up so that people can see it as
33 well.

34
35 MS. MASON: While they're putting up those
36 maps, I'll report to you my conversations with the
37 State demographer and also with the Kenai Peninsula
38 Borough Planning Department about the populations of
39 both the Homer rural area and the Kenai rural area.
40 I wanted to get some updated information and
41 unfortunately the two offices I contacted came up with
42 entirely different figures for the Homer rural area.
43 But both of them agreed that there is more population
44 than would be reflected in the census data from the
45 three communities that are considered census-designated
46 places.

47
48 The Homer rural area contains several small
49 settlements, as Taylor indicated, including Nikolaevsk,
50 Fox River which contains a small Russian Old-Believer
51 community that's also known as Kachemak Celo (ph), and

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1 East Fritz Creek is the other census-designated place
 2 in it. According to the State demographer, the maximum
 3 population of the Homer rural area in 1990 would be
 4 1637 and it would be probably some 200 less. And the
 5 reason for the unsureness of it is that there are some
 6 census units that are partly in and partly out of that
 7 area, but that was just an estimate. It grew roughly
 8 by 11 percent between 1990 and 1993. And so applying
 9 this to the whole area, it grew from 1437 -- since she
 10 said it was probably some 200 less -- to 1669, between
 11 1990 and 1993. And that would be approximately 360
 12 households using the figure of Nikolaevsk's 4.64
 13 persons per household.

14
 15 The Kenai Peninsula Borough Planning Depart-
 16 ment had a higher estimate of the Homer rural area.
 17 And they thought that in 1990 it was 2,013. And
 18 applying the borough's estimate of a Peninsula-wide
 19 increase of 12.5 percent between 1990 and 1995, then
 20 they thought the 1995 population of the Homer rural
 21 area would be 2,265 people. And that would be 488
 22 households, again, using the figure of 4.64 persons per
 23 household. So the population of that Homer rural area
 24 has grown very quickly. According to the census, it
 25 went from 121 people in 1980 to 1181 in 1990. It's got
 26 a very low percentage of Alaska Natives and high
 27 household sizes. And as I indicated, it is heavily
 28 populated by Russian Old-Believer, at least in the
 29 Nikolai communities. East Fritz Creek is sort of a
 30 continuation of the West Fritz Creek community. And
 31 that's more -- it's less of a community than a group of
 32 settlements. Nikolaievsk was established in 1967 and
 33 the Fox River community was established sometime in the
 34 1980s.

35
 36 And as for the Kenai rural area, again, as
 37 Taylor said, it comprises all the rural portions of
 38 Units 15A and 15B. And not much of anybody lives there
 39 but according to the Kenai Peninsula Borough, the
 40 population in 1990 was 72, and there was no way to tell
 41 how many households there are. Although there are 225
 42 housing units there, they're mostly cabins. And
 43 there's not much reason to think that that population
 44 has increased since 1990. So, I don't know if any of
 45 that clarifies what they're like but I'll answer any
 46 questions...

47
 48 CHAIRMAN EWAN: I have a question. Are any of
 49 these communities road connected?

50
 51 MS. MASON: Nikolaevsk is and I guess they all

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1 are. They're all on the road system. There are some
2 remote rural residents that are way off the road but
3 they're all on the road.

4
5 CHAIRMAN EWAN: Any other questions? Thank
6 you.

7
8 MR. KUHN: Some at the head of Kachemak Bay
9 are not road connected.

10
11 MS. MASON: You have to get there by a boat or
12 a plane.

13
14 MR. KUHN: No, they get four wheelers.

15
16 MS. MASON: Oh, okay.

17
18 CHAIRMAN EWAN: All right, thank you. Any
19 other information before we continue here? Does
20 anybody else want to testify or make comments on Homer
21 rural area from the audience? If not, we'll get to
22 council discussion here then. What is the wish of the
23 council on what kind of action do you want to take on
24 this, if any?

25
26 MR. ROMIG: Mr. Chairman?

27
28 CHAIRMAN EWAN: Yes.

29
30 MR. ROMIG: I would like to maybe entertain
31 the motion of deferring action on these areas, probably
32 for the lack of -- we haven't had any testimony in
33 support of it. We've had a lot of opposition from
34 other communities. I think at this point in time,
35 until we actually establish a -- you know, possibly
36 what the board's going to do with the rural and non-
37 rural status of the whole Peninsula, I think we might
38 want to defer action on this -- on these areas.

39
40 CHAIRMAN EWAN: All right. Are you making a
41 motion?

42
43 MR. ROMIG: I'm making a motion to that effect
44 to defer action.

45
46 CHAIRMAN EWAN: Okay...

47
48 MR. MARSHALL: Ben, is this -- excuse me, I'm
49 recording these motions. Is this just for Homer rural
50 area?

51

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1 MR. ROMIG: It'd be the Kenai rural area too.
2 Are we talking about one or the other right now or...

3
4 CHAIRMAN EWAN: Right now we were talking
5 about Homer rural area.

6
7 MR. ROMIG: Okay. Yeah.

8
9 MR. BRELSFORD: Maybe one at a time would be
10 clearer for the record.

11
12 MR. ROMIG: Yeah, okay. Yeah.

13
14 CHAIRMAN EWAN: Okay...

15
16 MR. LOHSE: For discussion, I'll second that
17 one.

18
19 CHAIRMAN EWAN: There's a motion to second
20 that we defer action on Homer rural area. The
21 rationale is that we do not have enough information.
22 Any further discussion on the motion? Yes, Lee.

23
24 MR. BASNAR: Mr. Chairman, I'm not sure this
25 is the appropriate time to bring this issue up but
26 perhaps it is. We deferred the Homer rural area one
27 time and now we're discussing whether or not to defer
28 it a second time. And these issues all are difficult
29 to deal with and difficult to understand, particularly
30 from those of us who don't live down in this area. One
31 of the things that is coming to my mind is the tremen-
32 dous amount of non-support for what we've tried to do.
33 I don't get any sense of support from the public on
34 what we've tried to do here on the Kenai. And I think
35 most of the dissension on the part of the public comes
36 from these lines that are drawn, in some cases rather
37 arbitrarily, on the map.

38
39 And I think that the only way we're going to
40 solve the problem of these lines on the map is to do
41 away with the lines. And I think the simplest way to
42 do that would be for us to make a recommendation to the
43 Subsistence Board, which I found out last night for the
44 first time is considering the rural status of the
45 Kenai. I think that we could go to the board and tell
46 them that we would like to see the entire Kenai
47 Peninsula be declared rural. By so doing, we wouldn't
48 have to discuss Homer rural area and we wouldn't have
49 to discuss the Kenai non-rural area. And we would put
50 the entire Peninsula of the Kenai on a level playing
51 field and I think that it would heal some wounds. It

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1 wouldn't deprive anybody of access to anything, but
 2 would, in fact, allow everyone access to everything up
 3 to a point.

4
 5 We can look down the road a few years and we
 6 can find that, yes, populations will increase. There
 7 will be increased pressures and perhaps, at that point,
 8 somebody a lot smarter than I am will come along with a
 9 much more equitable solution. But I'm beginning to
 10 lean quite seriously toward declaring the entire Kenai
 11 Peninsula to be rural.

12
 13 CHAIRMAN EWAN: I wanted to interrupt you. I
 14 think that kind of -- either you're making a new motion
 15 or amending or something but ...

16
 17 MR. BASNAR: No, no, no. I'm discussing.

18
 19 CHAIRMAN EWAN: The motion is to defer and
 20 we'd like to have discussion on that unless you want
 21 to...

22
 23 MR. BASNAR: I may move to amend. But at this
 24 point, I'm discussing.

25
 26 MR. OSKOLKOFF: Mr. Chairman, I think -- oddly
 27 enough, I find myself agreeing with Mr. Basnar -- I
 28 think he's as shocked as I am -- that it was always my
 29 contention and it was -- in, I believe, 1990 or 1991
 30 when we had the meeting in Homer in which I appeared
 31 before the board when they were making the rural/non-
 32 rural determinations. My contention then was that it
 33 was pretty obvious to me that most of the Kenai
 34 Peninsula, perhaps with the exception of Kenai or the
 35 Kenai/Soldotna area, to me, would immediately drop in.

36 The only reason I say perhaps not the Kenai and
 37 Soldotna area was because, at that time, we had already
 38 been privy to what the level was. And I believe it was
 39 somewhere around 7,000 or something like that that was
 40 being discussed at the time, which would be the cut-off
 41 point for a community.

42
 43 And I felt that most everyone, whether they
 44 were a long-term resident or whether they had come
 45 somewhat lately, in general, in the last -- perhaps
 46 previous to the last 20 years, had lived or had
 47 attempted in their first few years of settlement here
 48 to use the resources around them in a manner that was
 49 consistent. And I think what most people stated
 50 yesterday that many people still do, but it's
 51 consistent with a subsistence lifestyle as it's been

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1 defined. I -- on the other hand, I have a problem with
2 lumping everyone together and saying, now consider
3 this. There are disparities between groups. There are
4 disparities between communities. There are disparities
5 between areas.

6
7 But I have to agree that drawing these
8 arbitrary lines, lines that include Anchor Point with
9 Homer, lines that included, of all things -- I never
10 will understand this one -- Clam Gulch with the
11 Soldotna/Kenai area, and having that line cut off right
12 at that point. It didn't really make sense to me and I
13 think that part of the problem that we've had and the
14 reason that we've been deferring things for so long is
15 simply because this process has never been set. It's
16 never truly been defined. There's a constant change in
17 people's feelings on the -- or the Board's feelings on
18 what's rural, what's not. They've made their deter-
19 minations in 1990 and '91 and now all of a sudden,
20 they're going to revisit those determinations on rural
21 and non-rural after all that testimony. After all that
22 work those people put in back then. Now, they're just
23 going to reconsider it. It makes you wonder -- all
24 this work we're going through, all the testimony that
25 people gave -- whether we're just going to reconsider
26 it again.

27
28 I think there has to be, perhaps, a discussion
29 with the Department of Interior, because that's where
30 we're all appointed from, and including, I believe, the
31 Department of Agriculture also had a foot in on this
32 one, and make some of these decisions or define some of
33 these characteristics that we're trying to apply here
34 because I find that we're just wavering -- depending on
35 who shows up when, at what meeting, and how the
36 discussion goes from one side of the street to the
37 other. And I would dearly love to get on track with
38 this, get the real crux of the issue discussed, rather
39 than whether people like it or not, and get down to
40 those subjects. Once those definitions are planted, we
41 can craft regulations, I think, that can accommodate
42 people to some degree. But I think we're shooting at
43 ghosts right now. And I'm very uncomfortable with it.

44 I'm just as uncomfortable to defer on the other hand.
45 But we're left with such an imperfect working document
46 at this point that we have to apply our -- each member
47 of this advisory council has to apply their own
48 definition to nearly every one of these terms. We
49 don't have a set of definitions that everyone is
50 working with, and it's making it very, very difficult.

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1 And in the meantime, what are we creating?
 2 Every time we make a move, someone is going to complain
 3 and there's going to be more dissension. And then
 4 we're going to what? At some point defer or vacillate
 5 and move to the other side of the street. And I'm
 6 getting, frankly, a little concerned that we're going
 7 to get anywhere with this process for years to come.
 8 There's going to be more court decisions. The board is
 9 going to review things again and again. And I don't --
 10 I really don't know where we're going.

11
 12 CHAIRMAN EWAN: Again, I want to say, are you
 13 for the motion or against it or thinking about amending
 14 it or what? So I, kind of, know what direction the
 15 council wants to go.

16
 17 MR. OSKOLKOFF: I'm ambivalent.

18
 19 CHAIRMAN EWAN: Ralph?

20
 21 MR. LOHSE: I'd like to speak to some of the
 22 things that Gary just talked about. I really appre-
 23 ciate the chance I had of driving down here. Prior to
 24 this we've been discussing the Kenai and I voted
 25 against the subsistence hunt on the Kenai, basically
 26 because I didn't feel in dividing communities. I feel
 27 that, you know, communities is a community. And when
 28 we -- after driving down here, I see that the Kenai is
 29 not what I thought it was. There's a lot of country
 30 here. A real lot of country. And I didn't notice much
 31 difference as I drove through the different communities
 32 on the way down here. I was -- my mental picture of
 33 the Kenai was one suburb after another, all the way
 34 down to Homer. And instead I get down here and I see
 35 land and land and land and land and a little group of
 36 people and a little group of people. It was kind of
 37 hard to put the numbers to the amount of distance that
 38 there was.

39
 40 I'd have to -- I would have originally said
 41 that the whole Kenai was a non-rural area in my -- you
 42 know, mentally in my own mind because it's all road
 43 connected. Everybody's got access to K-Mart and
 44 Costco and all of the rest of it. Everybody makes use
 45 of that access. They all intermingle a lot and
 46 everything else. And from the people that I talked to,
 47 just the people -- the few people that I had talked to
 48 in the past who were on the Kenai, I had this idea that
 49 the Kenai was, kind of, like this one big community
 50 that went back and forth. I had no idea the distance
 51 involved.

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1
2 I'd have a tendency right now to go along with
3 the idea that the Kenai is a rural area. And from all
4 of the testimony, like Gary said, it sounds like the
5 people of the Kenai have a rural attitude. Even the
6 people who live in the communities have a rural
7 attitude. They make use of the stuff that we consider
8 rural type stuff.
9

10 One reason that I would defer on the Homer
11 rural area is the same reason that I said before, I
12 can't see how you can draw a line between the Homer
13 rural area and Homer. But I really don't know how you
14 can draw a line between the Homer rural area and Anchor
15 Point or Ninilchik either. I did get the opportunity
16 last spring -- or last Christmas I came down here for
17 something totally different, for the art fair. And I
18 got to stay out on the East End. I got -- some friends
19 of mine picked me up and drove me out to East End of
20 Homer. And there's lots of houses out there along the
21 road. But when I looked at the country around it, it
22 was just as rural as the country was -- for lack of
23 better way of putting it -- in Cordova or Unit 13.
24

25 I would have a tendency to defer on the Homer
26 rural area until we decide what we're going to do with
27 the whole thing. I have not been in the Kenai -- I've
28 been in Soldotna last year for our meeting but I didn't
29 have a real good chance to look over the Kenai/Soldotna
30 area. But from talking to the people there, it sounded
31 like the people were the same as the people in Anchor
32 Point and Ninilchik like Gary said. And I would have a
33 tendency either to class the Kenai Peninsula all rural
34 or all non-rural. And at this point in time, I would
35 go with the rural simply because of what I've seen.
36

37 CHAIRMAN EWAN: Lee.
38

39 MR. BASNAR: Mr. Chairman, hearing from Gary
40 and Ralph helps clarify my own thoughts somewhat. And
41 to focus on the motion at hand, I would be in favor of
42 deferring, provided that, of course, we're intending to
43 take -- carry this further in terms of the entire Kenai
44 Peninsula. I don't want to defer just because I'm a
45 coward and don't want to take action. But I want to
46 defer so that we can take better or other action which
47 will include solving the problem of the Homer and the
48 Kenai rural areas, although, we're just talking Homer
49 right now. So under those circumstances, I would vote
50 to defer.
51

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1 CHAIRMAN EWAN: I have a question of Taylor.
2 Process-wise, would that foul up anything? Going to
3 the Federal Subsistence Board and so on?
4

5 MR. BRELSFORD: Yes, Mr. Chairman. The next
6 agenda item, the norm-- the first item listed for
7 this morning is actually further deliberation of the
8 deferred items -- previously deferred items from the
9 Kenai Peninsula. This would include the other species
10 and some of the other communities. The northern Kenai
11 Peninsula communities. So I think you still have an
12 agenda item to look comprehensively at the C&T deter-
13 minations or at the subsistence eligibility determin-
14 ations for the Kenai. So I think Mr. Basnar's
15 intention to float a proposal regarding the rural
16 status of the Kenai Peninsula as a whole would be
17 appropriate under the next agenda item. And if the
18 sequence is to defer on Homer rural area and then to
19 look more widely at the Kenai as a whole, I think
20 that's a logical sequence.
21

22 It might be good to underscore again that
23 we're starting proposals at this time in the year.
24 They would be subject to staff analysis and to further
25 public comment. Any proposals that emerge in this
26 meeting would be bound in a booklet, sent out in
27 November for more extensive public review and technical
28 analysis. So some of the demographic implications or
29 the biological implications, we would be able to put
30 together some more data for you. You would meet in
31 February to review public comment and the technical
32 analyses, then make your formal recommendation to the
33 board. So at this stage, it's recognized that you
34 don't have all the facts on all of the items. You can
35 make proposals that set directions, that express the
36 thinking of the council. We can put together addi-
37 tional technical work and public comment for your
38 formal action in February and then by the board in
39 April.
40

41 CHAIRMAN EWAN: So the simple action of
42 deferring right now would be okay and then we'd talk
43 about it later again?
44

45 MR. BRELSFORD: Right. I think, you know, the
46 intention expressed by the council members to look at
47 the rural status all together is proper. So deferring
48 now in order to take that other topic up in a few
49 minutes seems quite proper.
50

51 CHAIRMAN EWAN: All right. Any further

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1 discussion on the motion? If not, are you ready to
2 vote? All in favor of deferring say aye.

3
4 ALL IN UNISON: Aye.

5
6 CHAIRMAN EWAN: Opposed by the same sign.

7
8 (No opposing votes)

9
10 CHAIRMAN EWAN: Motion is carried. Okay, the
11 next item is the Kenai rural area. Again...

12
13 MR. LOHSE: I'll make that same motion as
14 applied to the Kenai as we did to the Homer because
15 we'll discuss that in the same unit.

16
17 CHAIRMAN EWAN: There's a motion to defer. Is
18 there a second?

19
20 MR. OSKOLKOFF: Second.

21
22 CHAIRMAN EWAN: Motion is seconded. Further
23 discussion of the motion? If there's no further
24 discussion, all in favor say aye.

25
26 ALL IN UNISON: Aye.

27
28 CHAIRMAN EWAN: Opposed by the same sign.

29
30 (No opposing votes)

31
32 CHAIRMAN EWAN: Motion is carried. Okay, that
33 took care of that. We're down to Old Business. The
34 further deliberation of species and communities on the
35 Kenai Peninsula, Unit 7 and 15. Deferred item from
36 July 12, 1995 meeting.

37
38 MR. BRELSFORD: Thank you, Mr. Chairman.
39 Helga had actually asked me to prepare a bit of an
40 introduction on this. So with your permission, I'll
41 read for a minute. There's a copy, a table of the
42 deferred items from -- that remain on the table from
43 July. It's actually at the table for the benefit of
44 the public and I circulated copies of it this morning.

45
46 MR. OSKOLKOFF: Mr. Chairman, could I
47 interrupt Mr. Brelsford for just a minute and maybe
48 make a point here which I don't think is going to help
49 anything but there's a question in my mind. We're now
50 going to look at deferred action with regard to species
51 and communities and, I guess, overall C&T in various

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1 communities. In light of what we've just said and in
 2 light of the fact that we've learned now that the board
 3 is going to review the rural/non-rural status, it seems
 4 like the simple mechanics of this are going to be very
 5 difficult. And we may end up discussing things that --
 6 well, let's put it this way, may spend a lot of time
 7 discussing areas that may be declared non-rural or
 8 maybe remain rural. We don't know at this point.

9
 10 The way we went into this, essentially, is
 11 that there were two hurdles that every place, more or
 12 less, had to jump. One was it had to be declared rural
 13 as opposed to non-rural and secondly, it had to get a
 14 C&T determination. With the complexities involved and
 15 the variety of species that we're dealing with in the
 16 C&T determination -- we just went through a year plus
 17 of that and got only a few communities done. And
 18 basically we worked on moose, I believe, primarily in
 19 most of the meetings. It seems that we're putting the
 20 cart before the horse somewhat if we don't first define
 21 the area that we are going to work within -- within
 22 what boundaries we're going to work within as far as
 23 what is rural and what is non-rural. And I think that
 24 if the board is going to take up the question, that
 25 they could probably benefit from our input on that. I
 26 don't -- I'm not asking -- I'm not trying to give
 27 specific direction for this but it seems like it's a
 28 question in my mind. Perhaps other members of the
 29 council could straighten me out.

30
 31 CHAIRMAN EWAN: Okay. Ralph, go ahead.

32
 33 MR. LOHSE: Mr. Chairman, I'd like to -- not
 34 to put you off for a second, but I'd like to ask Gary
 35 something that's been on my mind from what I've seen
 36 here. Have -- you know, we've been looking at C&T,
 37 community by community, basically. And yet, to a
 38 certain extent I get the feeling that there's a lot of
 39 flux on the Kenai Peninsula like -- that people from
 40 Ninilchik have moved to Anchor Point and people from
 41 Anchor Point have moved to Kenai. That you have a flux
 42 or a movement back and forth on the Kenai. Am I wrong
 43 in that kind of a feeling, Gary?

44
 45 MR. OSKOLKOFF: I've never had that
 46 perception.

47
 48 MR. LOHSE: You've never had that perception.
 49 Basically the people kind of -- you look -- you
 50 perceive the communities as isolated places or as part
 51 of a greater Kenai Peninsula community to start off

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1 with?
2
3 MR. OSKOLKOFF: No, what I was thinking is
4 that I don't see it as people moving about, other than
5 in their daily...
6
7 MR. LOHSE: Uh-huh (affirmative).
8
9 MR. OSKOLKOFF: ...you know, travels and their
10 daily uses of whatever services are available. But I
11 don't see them as moving from one community to the
12 other. In fact, I think you would find that a very
13 small percentage of people, perhaps, would move on more
14 than once in a lifetime basis.
15
16 MR. LOHSE: Okay, so the movement's basically
17 for work. It's not for living. I mean people move --
18 or do jobs in different places but they basically have
19 their home. Their homes are pretty stable?
20
21 MR. OSKOLKOFF: Yeah.
22
23 MR. LOHSE: Okay. And do you think of them as
24 isolated communities? I mean, does a person from
25 Ninilchik think of themselves as isolated from or
26 different than somebody from Anchor Point or from
27 Kenai?
28
29 MR. OSKOLKOFF: I think most of the people on
30 the Kenai Peninsula are very independent minded and I
31 believe that even within communities, people believe
32 that they're...
33
34 MR. LOHSE: They're independent.
35
36 MR. OSKOLKOFF: They're independent. And, you
37 know, I hesitate to speak for -- these are just
38 opinions that I've developed over the years, but I
39 believe that -- I believe that most people would feel
40 that they are not isolated but they are different.
41 There is a difference involved there.
42
43 MR. LOHSE: But do they kind of have -- I
44 mean, do they more relate to their community or do they
45 more relate to the fact that they live on the Kenai
46 Peninsula?
47
48 MR. OSKOLKOFF: I think it would be -- that it
49 would depend on what level.
50
51 MR. LOHSE: Yeah.

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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
SEPTEMBER 28, 1995 PUBLIC MEETING - VOLUME 2

1
2 MR. OSKOLKOFF: You hear -- a lot of the
3 testimony was, well, we're all Alaskans. But then you
4 hear people that are very pro-Kenai Peninsula as
5 opposed to areas and then there are people that are
6 very, you know, can define it down to a town or a
7 particular part of town. I live next to the ocean or
8 -- and so, it really depends on the level but I don't
9 -- I really don't know if I could render a opinion on
10 that.

11
12 MR. LOHSE: I guess what I was thinking of is,
13 do you have a feeling that we need C&T determination by
14 communities or is there so much movement back and forth
15 and so much inter-use of the game that the C&T should
16 basically apply to the Kenai Peninsula?

17
18 MR. OSKOLKOFF: I don't think you could have a
19 C&T that would apply to the entire Peninsula. I think
20 you would -- in fact, it's almost impossible to do it
21 by community. As I say, as people as individual as
22 they are, it's almost impossible on that level. There
23 are -- even in the little town of Ninilchik, there are
24 distinct user groups. There are distinct employment
25 groups, more or less. And there are distinct, kind of,
26 cultural groups. And you just can't put one label, you
27 know, that fits the entire town. We're not a steel
28 town or a fishing town or anything else. We're a
29 combination of many things in that particular case.
30 And I think that applies to most of the communities.
31 Perhaps they have a leaning one direction or another
32 but I would hate to try and label them.

33
34 CHAIRMAN EWAN: All right, Fred, you have a
35 comment?

36
37 MR. JOHN: I kind of have a -- listening to
38 all the testimony and everything. And for C&T
39 determination, I kind of look at the little town of
40 Hope, Cooper Landing, Whittier and for C&T deter-
41 mination, it seems like, you know, they don't have any.
42 And I see Ninilchik got C&T determination, you know,
43 and I would say Hope. I got somebody up there, some
44 Native guy or some -- you know, with C&T wrote a
45 letter. And that's about the only one there. But
46 Seldovia, Ninilchik, you know, I hear different from
47 them, that they got C&T determination. There's -- you
48 know, that kind of got me. I kind of hate to make a
49 decision when I'm not really sure in my mind, you know.
50 Well, that's why we're here in Kenai, making decision
51 that's going to affect the rest of Alaska. I kind of

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1 wish we'd get the rest done and then come down to Kenai
2 last.
3
4 CHAIRMAN EWAN: All right. While I'm here
5 chairing the meeting, I would like to know the
6 direction you want to go. Do you want to -- what I
7 hear Gary saying is that we should make a rural/non-
8 rural determination first or recommendation before we
9 go into the other deferred items?
10
11 MR. OSKOLKOFF: If the chair is asking me that
12 question, I don't even know if we should do that at
13 this point. Is it true that the -- I thought I heard
14 yesterday that the board has asked the staff to compile
15 some information with regard to rural/non-rural on the
16 Kenai Peninsula?
17
18 MR. BRELSFORD: Yes, Gary. As a result of the
19 testimony through the summer, the board expressed its
20 wish in July that there be some further review of the
21 rural and non-rural determinations, either the accuracy
22 or the criteria. The board was fairly general in its
23 comments. But it was clear that they wanted further
24 review of that circumstance and ultimately some kind of
25 staff work that would be presented back to them.
26
27 CHAIRMAN EWAN: Lee?
28
29 MR. BASNAR: Mr. Chairman, in line with our
30 previous action that we took this morning in deferring
31 a further look at the Homer rural area, I think we'd be
32 consistent and I'd certainly be comfortable with
33 deferring our deferred recommendations one more time
34 until we bring this discussion of the entire Peninsula
35 rural status before us, either in the form of a motion
36 or some sort of formal discussion. So, again, I
37 wouldn't be ducking an issue; I'd be deferring an issue
38 until perhaps the bigger issue can be resolved. And
39 then maybe the smaller issue would, by virtue of that,
40 go away on its own. So I would move at this point to
41 defer further discussion on our deferred recommend-
42 ations which is up on our agenda right now.
43
44 CHAIRMAN EWAN: Okay, there's a motion. Is
45 there a second?
46
47 MR. ROMIG: I'll second that motion. I'll
48 second it.
49
50 MR. JOHN: Of the entire Kenai?
51

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SEPTEMBER 28, 1995 PUBLIC MEETING - VOLUME 2

1 MR. BASNAR: My motion, to clarify that one
 2 more time, I would move that this piece of paper that
 3 was passed out this morning to us -- the subsistence --
 4 the deferred council recommendations of 2/28/95. Back
 5 in February, we deferred discussing these particular in
 6 Unit 7, 15A, 15B and 15C. We discussed some of the
 7 communities and some of the species and we did not
 8 discuss all of the communities and all of the species.
 9 We deferred it. My motion now is to continue this
 10 deferral until we can pull together the direction that
 11 we want to go. If we were to decide, for example, --
 12 and I'm not saying we will -- we might decide that
 13 Kenai is rural. Well, therefore, that would make a
 14 lengthy discussion on each one of these species and
 15 each one of these communities a total waste of time at
 16 this point. That would be my reason for deferring.
 17 So, again, I move that we defer further discussion of
 18 these species in these units that were deferred back in
 19 February.

20
 21 CHAIRMAN EWAN: All right, there's a motion
 22 and Ben Romig seconded the motion. Further discussion
 23 on the motion? Yes, Gary.

24
 25 MR. OSKOLKOFF: Mr. Chairman, I will have to
 26 vote in favor of the motion. I personally hate to
 27 defer these questions. I feel like I am ducking some
 28 rather intense discussion, and as you know, I'm a big
 29 fan of intense discussion. But I really believe that
 30 there are questions that these council members have
 31 raised and there are questions that have been raised on
 32 the board which don't undermine my belief that there is
 33 a rural area here on the Peninsula. Or that there is
 34 customary and traditional use on the Peninsula, but it
 35 does make me start to question where exactly the lines
 36 should be drawn, if they should be drawn. And how the
 37 procedure -- mainly how the procedure is going to work.

38 I think we started somewhere in the middle.
 39 We were basically helicopter-dropped right into the
 40 middle somehow of this process. And we never really
 41 had a chance to start at the beginning. And I think
 42 that the beginning, essentially, is a determination by
 43 this advisory council -- or advice, I guess, more or
 44 less -- to the board on what we believe is appropriate
 45 as far as rural and non-rural distinctions on the Kenai
 46 Peninsula, if the Kenai Peninsula is what we're going
 47 to deal with. And I think that we ought to spend some
 48 serious time and, perhaps, we'll have go in the entire
 49 Southcentral area. Take a look at it as a whole and
 50 try and draw these lines if we are so inclined to do
 51 so. But I think until we do something like that, it's

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1 going to be -- I happen to agree that it's very
 2 difficult to go through all these discussions when you
 3 don't even know where the lines are for sure.

4
 5 Someone asked me a question about the Homer
 6 rural area and I make one statement today of my limited
 7 knowledge on the Homer rural area, but next month the
 8 board decides that they're going to change the
 9 boundaries of the Homer rural area, perhaps. Then will
 10 we have to revisit this entire question again? I think
 11 when you're dealing with percentages and small
 12 fluctuations that make a difference between Anchor
 13 Point, Ninilchik or Clam Gulch or, you know, these
 14 various roads -- places up and down the line like this,
 15 I think it does make a huge difference on where you
 16 draw these lines. So I think that maybe we could defer
 17 a lot of what we have here as -- on the agenda and try
 18 and get down to a discussion of what we believe or what
 19 we would advise the board on in regard to the bigger
 20 questions that develop down to the small detail
 21 questions. And I just don't know of any other way of
 22 going about it other than doing all the work involved.
 23 I think we're kind of halfway through building a house
 24 here. All of the sudden we kind of dropped into it and
 25 we're tar-papering without putting plywood down. You
 26 know, it doesn't make much sense. We have to lay a
 27 foundation here to build these things.

28
 29 CHAIRMAN EWAN: Let me ask, does the council
 30 want to pursue that other question of rural/non-rural
 31 today or tomorrow, at this meeting or at a future
 32 meeting? Do you have any recommendation along there?

33
 34 MR. OSKOLKOFF: I don't have a recommendation
 35 on that.

36
 37 CHAIRMAN EWAN: Okay. Lee.

38
 39 MR. BASNAR: Yeah, I would make two comments
 40 to answer your final question here. Yes, I think we
 41 ought to get to it. And to back up what Gary said, we
 42 were dropped into the middle of a situation. As we, as
 43 a council, have matured in this process, we're becoming
 44 more and more aware of our role and our relationship to
 45 both the residents of, in this case, the Kenai Penin-
 46 sula and our relationship to the board to whom we make
 47 our recommendations. During our first meeting, we
 48 weren't really sure where we were coming from or where
 49 we were heading. At least I wasn't. I won't speak for
 50 the others. But as I have matured personally in this
 51 process, I've come to realize how vital our link is

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1 between the people and the board. And it's a vital
 2 link. And it's a tremendous responsibility that we as
 3 council members all share here. So by deferring this,
 4 which is the question at hand right now, and then
 5 according to whatever the rules are on our agenda here,
 6 Mr. Chairman, I'd be more than happy to make a motion
 7 on rural/non-rural status on the Kenai if that will get
 8 it formally before the council so we can discuss it in
 9 detail. But I don't know where on the agenda it's
 10 legal to do so.

11
 12 CHAIRMAN EWAN: Do we have a place on the
 13 agenda today to further discuss rural/non-rural issue?
 14

15 MR. BRELSFORD: Mr. Chairman, there's no
 16 formal item on rural and non-rural topics on the agenda
 17 at this time. The agenda can be changed by the council
 18 and I think you -- generally, you've expressed the
 19 intention to look at the rural/non-rural areas. So, I
 20 believe that would be appropriate here while we're
 21 talking about the carried-over concerns or considera-
 22 tions of C&T on the Kenai Peninsula. I think this is
 23 the time to do that.

24
 25 I guess I'll make the second procedural point
 26 that the stage in the sequence now is to put proposals
 27 out for review, not to make final recommendations. So
 28 that you would float a proposal; it would be subject to
 29 further public comment and technical review; and then
 30 in your February meeting, you would make your formal
 31 recommendation to the board. So in that respect, what
 32 starts the discussion would be a formal proposal
 33 regarding rural/non-rural status. This is not the
 34 final step. This is the first step in raising that
 35 issue for board consideration.

36
 37 CHAIRMAN EWAN: All right, let's get back to
 38 the motion to defer the act -- further defer the, I
 39 guess, the deliberation on deferred action.
 40

41 MR. BASNAR: Defer the deferral.

42
 43 CHAIRMAN EWAN: Did everybody understand
 44 Taylor that we can take this up immediately after this
 45 if we want to? That's why I was asking, why stop here
 46 and why don't you just continue discussing -- that's
 47 why I was asking you if you wanted to defer it to the
 48 next meeting or continue discussing it today. So, are
 49 you ready to vote on the motion?
 50

51 MR. LOHSE: Did you want a comment on the

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1 question you just asked?

2
3 CHAIRMAN EWAN: Go ahead, yeah.

4
5 MR. LOHSE: Well, my feeling is that whatever
6 we do is not final anyhow. If we make the statement
7 that we, as a council, find the Kenai Peninsula rural
8 or non-rural -- it wouldn't make any difference which
9 one we do -- all we're doing is basically opening the
10 door for discussion by the public by the board and
11 everything else. We're not making a final deter-
12 mination on it. I have to go along with Gary. My idea
13 with C&T before was based on the fact that we were
14 operating under guidelines, laws, whatever you want to
15 call it, that had been made prior to us sitting on the
16 council. Communities had been found rural or non-
17 rural. Those were the limitations within which I was
18 working. And we looked at it as a council and we said
19 we're going to take a look at these communities and
20 basically, we don't want to keep anybody out. We're
21 going to give them all the benefit of the doubt as we
22 could as a community, and be as inclusive as we could
23 within the limitations that were set as far as what was
24 rural and non-rural.

25
26 Now if all of a sudden, or now if not even all
27 of a sudden but now if there's going to be a review
28 over what's rural and non-rural, that takes away the
29 guideline in which I was working, and makes it all
30 indefinite again. And from that standpoint, I would go
31 along with Gary. That we kind of need to -- we kind of
32 need to sit down and say, as a council, what direction
33 are we going? What do we think is -- you know, what do
34 we feel is the way that we want to look at this as a
35 council? And then maybe, possibly, you know, at some
36 point in time, we're going to have to sit down and make
37 C&T determinations area by area or little group by
38 little group or something like that.

39
40 But in general, some of these C&T deter-
41 minations, if the rural status changes, don't mean a
42 hill of beans. I mean, if the board reviews the area
43 and finds areas that we found C&T for non-rural, then
44 the fact that we worked on the C&T doesn't mean
45 anything. If an area comes up that turns out to be
46 rural that we don't find C&T for, that just means more
47 work. I'd like to see -- I would like to see the
48 review of what we're actually applying the criteria to
49 be completed before I put the work in on something like
50 this. The only thing I don't think the C&Ts mean that
51 much at this point in time if the rural status hasn't

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1 been decided. And I -- from that standpoint -- I could
 2 see us moving in a direction as a council and recom-
 3 mending action that the public will then discuss and
 4 that the board will then discuss in order to make a
 5 determination so that we can do something like this.
 6 And so, up to that point in time, there's no reason not
 7 to defer it because it doesn't mean anything.
 8
 9 CHAIRMAN EWAN: All right, are we ready to
 10 vote on the motion?
 11
 12 MR. BASNAR: Call for the question.
 13
 14 CHAIRMAN EWAN: Call for the question. All in
 15 favor of the motion, say aye?
 16
 17 ALL IN UNISON: Aye.
 18
 19 CHAIRMAN EWAN: Opposed by the same sign?
 20
 21 (No opposing votes)
 22
 23 CHAIRMAN EWAN: Motion is carried. So we'll
 24 go into discussion, I guess, about the -- should we get
 25 into discussion about the rural/non-rural at this
 26 point?
 27
 28 MR. BASNAR: I'll make a motion and we'll get
 29 it deferred.
 30
 31 MR. LOHSE: We need a motion on the table so
 32 we can have discussion on it.
 33
 34 CHAIRMAN EWAN: All right. There's -- yes,
 35 Lee.
 36
 37 MR. BASNAR: Mr. Chairman, in order to get
 38 this out for appropriate discussion before the council.
 39 I move that the entire Kenai Peninsula -- correction.
 40 I move that this board -- this council propose, in the
 41 form of a proposal, to the Subsistence Board that the
 42 entire Kenai Peninsula be declared rural.
 43
 44 CHAIRMAN EWAN: There's a motion. Is there a
 45 second?
 46
 47 MR. OSKOLKOFF: I'll second it.
 48
 49 CHAIRMAN EWAN: There's a motion and a second.
 50
 51 ~~MR. MARSHALL: I'm sorry. Who seconded it?~~

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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
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1
2 MR. OSKOLKOFF: I did.
3
4 CHAIRMAN EWAN: Further discussion on the
5 motion? Could we have comments from staff or anybody
6 that's been through this process, what we're doing
7 here? And what we might undo or help undo?
8
9 MR. ROMIG: Mr. Chairman?
10
11 CHAIRMAN EWAN: Yes.
12
13 MR. ROMIG: I guess -- I guess my question for
14 the staff basically is, if we were to go ahead and say
15 non-rural, isn't there a period of time that the
16 community still remains rural before it actually
17 becomes non-rural?
18
19 MR. LOHSE: Five years.
20
21 MR. KUHN: Yeah, on your -- on your piece of
22 paper it says that when the board would make a
23 determination going from rural to non-rural, there's a
24 five-year wait.
25
26 CHAIRMAN EWAN: Rod, do you want to make a
27 comment on this?
28
29 MR. KUHN: I gave Lee and he's passed out to
30 you what is in regulation about the board's criteria
31 for making rural determinations. And that was what the
32 process that the board went through back in '91 -- '90,
33 '91 and when they had all the meetings. And it begins
34 with something that really is not clearly stated here
35 very well and that is an aggregation process. And that
36 is they looked at what communities might aggregate in
37 socially and economically, they might be integrated in
38 some fashion. And last night I mentioned the idea that
39 the threshold at that time was used, that greater than
40 15 percent of the area traveled to some larger center.
41 That is, -- let's move it further away from where
42 we're sitting right now over to the other side of the
43 Peninsula in the Moose Pass/Seward area. Moose Pass
44 was decided to -- was integrated in with Seward because
45 they said that greater than 15 percent of the people
46 from Moose Pass commuted to Seward on a daily basis.
47
48 So they looked at how they might group various
49 areas. And that's the major way in which these lines
50 were first derived on the map. How you integrated the
51 communities. The integration was arrived at by talking

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1 with various people and the community leaders, usually
2 governmental leaders like planning people. Also maps
3 were taken to these communities during the public
4 meetings and laid on the table and said, you know, "Do
5 people from here -- where do you go? Do you go into
6 to" -- you know, they might come into Homer and they
7 find out, well, who comes into Homer on a daily basis?

8 And they kind of said, well, the people up here by
9 McNeil Creek on the east side of Homer come in but
10 people beyond that don't really. And you come up
11 towards Anchor Point, only up so far, and then they
12 don't come in.

13
14 And there were just lines that people were
15 kind of arm-waving over a map at the time. I don't
16 want to put it in any -- in any light arbitrary sense
17 but it was -- they'd gotten the best information they
18 could at the time. As I said, part of that was from
19 planning people. They also, in confirming those lines,
20 used such things as where the school district bound-
21 aries -- where the schools turned -- school buses
22 turned around. And that's what -- that's the line
23 everybody refers to up by Clam Gulch, is the school bus
24 turnaround. At 121.5 is the school bus turnaround.
25 And that's the mysterious line on the south side of
26 Clam Gulch. And the same thing happens as you go up to
27 the Sturusk (ph) tower, that's the school bus
28 turnaround. So that's how some of those boundaries
29 came into being. So in talking with school district
30 officials, talking with planning officials, talking
31 with city officials and things like that, they arrived
32 at some of these lines.

33
34 And so once they aggregated these people, then
35 they applied -- and I apologize, I don't have with me
36 today a table that was developed at that time but I
37 think, you know, as we're looking into this, as I'm
38 looking into this for the board, we're going to be
39 reconstructing that table which evaluates the criteria
40 that you see here as far as the use of fish and
41 wildlife. What we looked at there was the number of
42 species that are used by an area and we looked at the
43 pounds per capita consumption of fish and game
44 resources.

45
46 In the development and diversity of the
47 economy looked at a number of factors. Looked at some
48 things which on the surface may not seem to be
49 measuring that to us. But it looked at such things as
50 electricity and how -- you know, what's the cost of
51 electrical and various other services in the area. It

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1 looked at what kind of school system. Does the school
2 system in the area go up to a certain level and cut off
3 and then the students have to go someplace else? Does
4 the community have a college? Things like that. It
5 looked at a lot of things. It looked -- it was a
6 community, did it have -- what was the employment in
7 the community? What was the rate of unemployment in
8 the community? What was the per capita income in
9 communities? It looked at all kinds of economic
10 factors in that one where it talks development and
11 diversity of the economy.
12

13 As far as infrastructure, it looked at such
14 things, also, as the means of getting to the community.
15 Was it serviced by commercial air travel? Did it have
16 a ferry system? Did it have a road system? Other
17 sorts of things like that. As mentioned, educational
18 institutions. Under the other thing I mentioned that I
19 shouldn't have -- educational institutions and looked
20 at the level -- is there a college in the town? Junior
21 college? Technical school? Just through high school?
22 What level of educational institutions.
23

24 And there was an initial assumption, that's
25 listed first in your thing, that communities or areas
26 -- these are the ones that are aggregated -- that have
27 a population that is 2500 or less had an initial
28 presumption that they were rural. One's that were
29 7,000 or greater had an initial presumption that they
30 were non-rural. But those were presumptions that --
31 they looked at all these other factors and then the
32 board considered it holistically and decided whether or
33 not things were rural or non-rural. Some of the very
34 hotly contested things back at that point in time were
35 Kodiak and Sitka -- were two of the hotly contested and
36 those ended being a split vote of the board but ended
37 up being rural communities. Anything else I can give?
38 Yes?
39

40 MR. HENRICHS: I'm just curious. On all these
41 population figures -- they have prisons don't they?
42 They've got one in Seward, don't they? And they have
43 another one somewhere out here. Did you count those
44 prisoners as part of the population or not?
45

46 MR. KUHN: What they used for population is
47 what the census -- 1990 -- at that time, it wasn't --
48 1990 census, I don't think, was quite available when
49 they did that. They were just compiling it at the
50 time. So it was actually somewhat of a State-adjusted
51 1980 census. And the original census designated places

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1 from 1980 were what actually formed the boundaries of
2 some of those communities that they were discussing at
3 the time. But those were census figures. They weren't
4 something that we went out and jumbed (ph) up.
5 Division of Labor -- Department of Labor.
6

7 CHAIRMAN EWAN: So it's probably yes. So the
8 question -- the answer to his question is probably yes
9 then?

10
11 MR. KUHN: I don't know whether the Department
12 of Labor includes prisoners as part of their population
13 in an area or not. I assume that they would.
14

15 CHAIRMAN EWAN: I think they're in the census,
16 aren't they? Included in the census?
17

18 MR. OSKOLKOFF: I think they have to.
19

20 MR. ROMIG: They got to be counted somewhere.
21

22 MR. KUHN: We'd have to look into that to
23 know. Do you know?
24

25 MS. MASON: It doesn't say it but Seward city
26 in 1990 was 2700. I don't know if that -- I would
27 think that it doesn't include...
28

29 MR. KUHN: Does it have Spring Creek? Is that
30 a census-designated place?
31

32 MS. MASON: It has people that were in ships
33 in port in Seward but it doesn't say anything about the
34 prisoners, so...
35

36 MR. KUHN: We'd have to talk to the State
37 Department of Labor.
38

39 MS. MASON: Yeah.
40

41 MR. KUHN: Because they really -- the State
42 Department of Labor actually provides a lot of guidance
43 to how the census is done in the state.
44

45 CHAIRMAN EWAN: Okay. Thank you. Any
46 further discussion here on the motion?
47

48 MR. ROMIG: Are we just -- was the -- what was
49 the motion? It's not entertaining the thoughts; it's
50 actually making a recommendation?
51

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1 CHAIRMAN EWAN: Do you want to...
2
3 MR. ROMIG: Are you making a recommendation to
4 the board or -- making a recommendation to the board to
5 look at it?
6
7 CHAIRMAN EWAN: Do you want to repeat your
8 motion?
9
10 MR. BASNAR: Did anybody copy down my motion?
11
12 MR. MARSHALL: Yes, I did. It was just to
13 declare the entire peninsula -- Kenai Peninsula as
14 rural.
15
16 MR. BASNAR: No, well -- no, it went a little
17 further than that Dick. It was a proposal to develop a
18 proposal.
19
20 MR. MARSHALL: Yes, it was a proposal. Yeah.
21
22 MR. BRELSFORD: I think the language was to
23 propose to the Federal Subsistence Board...
24
25 MR. MARSHALL: Yes. But it's as a proposal.
26 Yes.
27
28 MR. BRELSFORD: ...that the entire Kenai
29 Peninsula be declared rural.
30
31 MR. MARSHALL: Yes.
32
33 MR. BRELSFORD: So it's a proposal at this
34 point...
35
36 MR. MARSHALL: Yeah, yes. I've separated
37 motions and proposals. So yes, that's correct. But
38 the guts was it was -- it's a proposal to declare that
39 the entire Kenai Peninsula -- make it rural.
40
41 CHAIRMAN EWAN: Thank you, that's good.
42
43 MR. MARSHALL: But it'll show as a proposal,
44 not a motion.
45
46 CHAIRMAN EWAN: Yeah, they include the
47 prisoners in the census count, so...
48
49 MS. MASON: Yeah, I've covered that in here.
50
51 MR. HENRICH: Well, I just wondered how many

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1 there were.
2
3 MS. MASON: 511. Well, that's in group
4 quarters in Seward.
5
6 MR. HENRICHS: That makes quite a difference
7 in their population.
8
9 MR. ROMIG: They've only got 260 beds.
10
11 MS. MASON: Yeah, 511 out of 2,700.
12
13 MR. HENRICHS: It's a good thing they can't
14 vote.
15
16 MR. OSKOLKOFF: Mr. Chairman.
17
18 CHAIRMAN EWAN: Yes.
19
20 MR. OSKOLKOFF: I tend to support the motion,
21 but I wanted to clarify that the motion's intent was to
22 -- is it to make this a proposal, not make it necessar-
23 ily a declaration of a finding from us so that we might
24 have it go forth throughout the year with testimony
25 and, you know, further documentation and study. And
26 then at that point, at the end of whenever the cycle
27 does end for proposals, that we would make our
28 determination then to the board? Is it -- am I getting
29 even close to what the maker had in mind?
30
31 CHAIRMAN EWAN: I don't know. Taylor, you...
32
33 MR. BRELSFORD: Well, Lee was the maker. I
34 understood it to be this is a proposal subject to
35 further public comment and technical review. Further
36 discussion in the February meeting of this council.
37 And at that time, taking additional information into
38 account, you would make a final recommendation to the
39 board. At this point, it's only putting the matter out
40 as a proposal, reserving a right later to make your
41 finding -- your formal recommendation that would go to
42 the board in April.
43
44 CHAIRMAN EWAN: Yeah.
45
46 MR. BASNAR: That's correct. That was my
47 intent.
48
49 MR. OSKOLKOFF: Okay, thank you.
50
51 ~~MR. MARSHALL: That is correct, definitely,~~

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1 but there is also a part of the proposal system that
2 provides justification for that proposal. And I've
3 been taking some notes on that to try to capture the
4 intent of the justification and these notes will be
5 approved by Roy before we're done here. He's going to
6 initial off on them.
7
8 CHAIRMAN EWAN: So we should be talking about
9 justification a little more then?
10
11 MR. MARSHALL: Yes.
12
13 CHAIRMAN EWAN: Yeah.
14
15 MR. MARSHALL: Well, until you're comfortable
16 that you've heard everybody, yes.
17
18 CHAIRMAN EWAN: Right. Ralph?
19
20 MR. LOHSE: I have a question, first of all,
21 Mr. Chairman. I've been reading this little hand-out
22 that we have right here. Is this cast in stone?
23
24 MR. KUHN: That is the decision of the
25 Secretary and the board does not have the power to
26 change that.
27
28 MR. LOHSE: Okay, the Secretary of this is...
29
30 MR. MARSHALL: It still can be changed.
31
32 MR. LOHSE: This still can be changed...
33
34 MR. KUHN: The Secretary can change it.
35
36 MR. LOHSE: ...but the Secretary of Interior
37 has to change it and he could change it at the
38 recommendation of board -- not our board but of the
39 other board.
40
41 MR. KUHN: I'll tell you what I told the board
42 when they were talking about this. And that is, the
43 rural determination process is kind of at the heart of
44 the program. And when we did the Environmental Impact
45 Statement for the program, that -- all the impacts turn
46 on the rural determination. So if we change that, it
47 would involve revising the Environmental Impact
48 Statements. It would involve approximately a year to a
49 year and a half process.
50
51 ~~MR. LOHSE: So what you're saying is that,~~

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1 this is going to be pretty hard to change?
2
3 MR. KUHN: That's more difficult to change.
4 The board has the power to make the determinations
5 flowing from that.
6
7 MR. LOHSE: And we do have communities on the
8 Kenai Peninsula that fit outside of the boundaries that
9 are set here, don't we? Or are they only set because
10 of the way they were aggregated together?
11
12 MR. KUHN: I'm not quite sure I understand.
13
14 MR. LOHSE: Okay, what it says right here --
15 let me put my glasses on so I can read it. Oh, it just
16 says a community of 7,000 shall be presumed non-rural.
17
18 MR. KUHN: Presumed.
19
20 MR. LOHSE: Okay, so...
21
22 MR. KUHN: It's an initial presumption.
23
24 MR. LOHSE: So that basically does not cut out
25 the possibility that a community of over 7,000 could be
26 declared rural?
27
28 MR. KUHN: Sitka's over 8,000.
29
30 MR. LOHSE: Okay. Thank you. That answers my
31 question.
32
33 MR. MARSHALL: Can I clarify something also,
34 Ralph? While it is more difficult to change what we
35 call Subparts A and B, which is where the program
36 regulations are found, we are embarking on that also.
37 We set up the program regulations, kind of, in a
38 vacuum, not knowing how it was going to work out.
39 We've learned a lot painfully in the last five years,
40 including the request of reconsideration process. A
41 lot of other things. Some definitions. Things we're
42 struggling with. Struggling hard with because of the
43 way the regulations read. So we are also reviewing
44 Subparts A and B for other needed changes. So there is
45 going to be probably something sent forward to the
46 Secretary. I can't give you a time table on it but
47 that is -- we have -- the staff has been directed by
48 the board to take a look at those two subparts to our
49 regulations also.
50
51 MR. LOHSE: Okay, so what we're doing is not

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1 out of line at all?
2
3 MR. MARSHALL: No, it isn't.
4
5 MR. OSKOLKOFF: Mr. Chairman?
6
7 CHAIRMAN EWAN: I wanted to take a break here.
8 All right? I think we've got a lot of discussion here
9 on this item here yet so we'll take a five-minute
10 break.
11
12 (Off record - 10:00 a.m.)
13 (On record - 10:17 a.m.)
14
15 CHAIRMAN EWAN: I call the meeting back to
16 order. We have a motion on the floor. Is there
17 further discussion on the motion?
18
19 MR. OSKOLKOFF: Mr. Chairman?
20
21 CHAIRMAN EWAN: Yes.
22
23 MR. OSKOLKOFF: I wanted to ask, perhaps
24 Taylor with regard to the board reviewing their
25 previous action on rural and non-rural, what is the
26 timeline and what is the procedure that they're using
27 and when do they hope to come up with an answer to --
28 from the question of whether they should review it or
29 not?
30
31 CHAIRMAN EWAN: Does anybody want to answer
32 that?
33
34 MR. MARSHALL: Yeah, I can't give you a
35 timeline Gary. We did talk about that at a board
36 meeting just -- what was it, Monday, Taylor? It's been
37 a big week.
38
39 MR. BRELSFORD: The 26th, Tuesday.
40
41 MR. MARSHALL: Tuesday. It was on their
42 agenda and we assured the board that we heard what they
43 told us, that we are to take a look at it. We did
44 bring up the situation which is described here before.
45 That one part of our regulations on rural is in a
46 subpart of the regulation that requires, you know, more
47 effort to change and while, perhaps, we could make --
48 accomplish our purposes by changing just Subpart C, we
49 weren't sure yet. I can't give you a timeline. I
50 guess I've got to stop there. I just can't give you a
51 timeline on when the board would expect to make a

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1 decision on it. I'm sure it's going to be on their
2 agenda at every -- you know, from here on out. But
3 when they would be ready to either make a change in
4 Subpart C or recommend a change to Subpart B to the
5 Secretary, I'm afraid I can't answer that.
6

7 MR. OSKOLKOFF: My question has -- the reason
8 I asked the question is because I'm concerned that
9 we're talking about, essentially, a proposal here to be
10 debated and reviewed and looked at over the next year
11 or so. At the next board meeting, they may look at it
12 and agree to take no action or take an action,
13 reaffirming their earlier decision. And here we've set
14 ourselves up for, you know, a longer discussion. Not
15 that there's any problem with having that discussion
16 too, but I think it would be -- it would almost be
17 futile at that point for us to go through that exercise
18 to a large degree when the board has essentially made
19 -- review it and then more or less shut the door on us,
20 which would, in my opinion, jerk us back onto a
21 different track which would be we'd back on C&T again
22 on the various communities. I would hope that the
23 board would take into consideration that we're going
24 through this exercise for our benefit and their benefit
25 also and that they would leave the question open and
26 not try and define it.
27

28 MR. MARSHALL: Even in the short term, Mr.
29 Chair -- even in the short term, this proposal and
30 particularly justification for it will help the staff
31 as they're formulating their staff work to go back to
32 the board with a report, so -- so all of this is
33 useful, very useful to -- first to the staff and
34 secondly, you know, after that to the board.
35

36 CHAIRMAN EWAN: And I'd like to have the
37 council discuss the justification part right now. I
38 think we ought to maybe give some justification. Lee.
39

40 MR. BASNAR: Yeah, Roy, I'll start it off
41 because I did give this some pretty serious consider-
42 ation last night. And one of the characteristics that
43 determines whether or not a community is rural or non-
44 rural is the use of fish and wildlife. And from the
45 tremendous amount of public testimony -- I'm not
46 talking about just last night -- but I read all of the
47 public testimony from all of the meetings and all of
48 the towns on the Kenai throughout the summer. And the
49 overwhelming evidence is that these people use and
50 depend on fish and wildlife. I don't think there's any
51 question in my mind about that. So that's one of the

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1 justifications that I had in formulating this proposal.
2 The other areas I am not as familiar with and I would
3 depend more on the people that live on the Kenai. Most
4 of my justification would revolve around the use of
5 fish and wildlife down here. Thank you.

6
7 MR. LOHSE: Mr. Chairman?

8
9 CHAIRMAN EWAN: Yes, Ralph.

10
11 MR. LOHSE: I'd like to make a couple comments
12 on that -- on why I think that it's reasonable for us
13 to propose this proposal. Number one, I'll just have
14 to say, is the eye-opening view I got driving down here
15 which really was worth -- it was worth the trip. It
16 was worth seeing this country. The other thing is, I
17 too read lots and lots of testimony this summer while I
18 was sitting out at the boat. More testimony than I
19 cared to have read. And the feeling that I get is the
20 reason people pick to live on the Kenai Peninsula is
21 because of the fish and wildlife. I mean, there is
22 some, to a certain extent, some of it is because this
23 is where they were from. To a certain extent, it's
24 because there is job opportunities here. But a lot of
25 the people who have come to the Kenai in the past, in
26 the historical past and in pre-history, probably came
27 here because of the fish and game resources. This is a
28 very rich area in fish and game and people make use of
29 it.

30
31 The other thing that got me in a lot of the
32 testimony was the amount of sharing that's done with
33 fish and wildlife resources on the Peninsula. The idea
34 of people doing it as families, as groups of families
35 -- things like that and sharing it amongst themselves;
36 sharing it amongst the neighbors; sharing it amongst
37 their friends. And, as we've discussed before, those
38 are rural characteristics.

39
40 CHAIRMAN EWAN: All right. Any other
41 comments? Lee.

42
43 MR. BASNAR: I have another one on the com-
44 munity concept. I think that people live in communi-
45 ties for various reasons. They -- perhaps one indi-
46 vidual moves to an area and finds that the fishing is
47 good or the hunting is good and tells his buddy and so
48 he moves in and eventually a community develops. Or in
49 other cases, maybe somebody discovers oil and the
50 community develops around it. So each community has
51 different characteristics in and of itself. However, I

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1 kind of get a sense that the entire Kenai Peninsula is
 2 a large community. There are lots of little enclaves,
 3 little villages, towns, whatever you want to call them.
 4 But this is a sense that I get that it's an entire
 5 community. And these people seem to want to get along
 6 with each other. They may go their own ways but, as
 7 Ralph said, there's a lot of sharing.

8
 9 So from the concept of community, I'm afraid
 10 that our regulations have divided it down too fine.
 11 And that we're being forced by the written word into --
 12 well, this is a community over here of Homer and this
 13 is the community of Anchor Point; whereas, we as a
 14 council, I don't think we're restricted to this concept
 15 here. People made this concept and we're people and we
 16 can refute that concept. My sense is that perhaps we
 17 need to look at the entire community of the Kenai
 18 Peninsula. And in looking at the entire community, I
 19 find that, once again, most all of the people have a
 20 tremendous dependence on the wild resources on the
 21 Kenai Peninsula.

22
 23 CHAIRMAN EWAN: Anybody else? Gary.

24
 25 MR. OSKOLKOFF: Mr. Chairman, I have a little
 26 bit different view of the term "community," I guess,
 27 than Mr. Basnar does, but I tend to agree with some of
 28 his statements. I think it's irrational to put
 29 emphasis on where a family's children catches a school
 30 bus to make it to school, so highly which seems to have
 31 been a large determining factor simply because of the
 32 divisions being at bus turnarounds. I mean, that has
 33 to lead you somewhere down that slippery slope of
 34 thought. And as -- and leaving as a kind of a minor
 35 consideration, things like community infrastructure,
 36 transportation and those kinds of things. Everybody
 37 talks -- I've heard testimony for months now -- road
 38 system. I've heard that term over and over again. If
 39 you're in a village, they put a road through, one day
 40 you're supposedly not on the road system; the next, you
 41 are. All of a sudden someone somewhere makes the claim
 42 that you are now non-rural because there is a road out
 43 front or within some distance of your home. I don't
 44 think a person should put a lot of weight into that.

45
 46 But I do think that we have to, perhaps, re-
 47 evaluate the criteria that is used and, perhaps, weight
 48 them a little bit differently than the board did
 49 originally in that, infrastructure seems to define, to
 50 a great deal, a community. That is, water and sewer
 51 service, those kinds of things, fire service. The

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1 ability to vote for -- by being -- by virtue of being
2 within the line which defines a city, and being able to
3 vote for that city government. And make some -- have
4 some ability to change what's going on within that city
5 government, I think is more important than almost
6 anything. Your ability to have impact. If you're
7 outside of that line, if we all talk about -- as many
8 people have ranted against putting lines on the map and
9 talking about how arbitrary they are. I agree, they
10 are somewhat arbitrary but I agree the city limits
11 often are arbitrary. I see them move up and down the
12 highway system often. And they seem to be kind of
13 ever-expanding. And sometimes they expand -- although
14 there are no people there -- all of a sudden it moves
15 from one side of the valley to the next side of the
16 valley.

17
18 It was amazing years ago to see that occur
19 between Soldotna and Kenai. Those signs kept moving
20 closer and closer to one another. You know, there may
21 be all kinds of different reasons for that but I think
22 that you have to have -- to be declared a community,
23 you have to be an involved member of the community, not
24 only in the governmental structure but in all the other
25 aspects of the community to a certain degree. And what
26 that degree is I guess we'll discuss in the future.

27
28 But I believe simply because you move a few
29 miles outside of Homer, it doesn't mean you've moved to
30 Homer. If you move a few miles outside of Ninilchik,
31 it doesn't mean you've moved to Ninilchik. You moved
32 to an area, perhaps, at best. If you want to use the
33 term area to define something and I have a hard time
34 coming up with a definition of area out of ANILCA. But
35 you have moved to a place and the place is essentially
36 nondescript except for the fact that now it's your
37 home. And I don't believe, just by your moving there,
38 all of a sudden, you become part of that community.
39 But I do believe that there perhaps -- I could be
40 swayed by the fact that if you move within the city
41 limits and you are taxed and are taxing people who
42 purchase things in your area and you're using that
43 money for local infrastructure, bus service, sewer,
44 water and those kinds of things, you probably are
45 developing a very tight bond with that community in
46 some way. And that's more or less how I think things
47 probably need to be more or less defined.

48
49 There are always going to be factions within
50 these communities, but I think we need to move in that
51 direction. And for that reason, I don't know if the

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1 motion that we have before us is exactly the wording
 2 that I would use but I haven't developed better yet.
 3 For that reason, I think that we have to look into it.
 4 I think we have to discuss those -- those determin-
 5 ations and how those were made. The people's input, I
 6 believe, has to come through us and I think that there
 7 was quite a bit of question on that and so we have to
 8 have that discussion at some point. And by having this
 9 motion and this proposal available to us, I think it
 10 propels us into that discussion.
 11

12 CHAIRMAN EWAN: Okay. Thank you. Any other
 13 comment? I just want to say that -- I guess, maybe, if
 14 it could be called justification, is the comments that
 15 were heard the last few days of the people in this area
 16 not wanting to be divided I think is a good justifi-
 17 cation to look at this once more. I'm not really clear
 18 in my mind which way they want to go, rural or non-
 19 rural, but I still think that the Federal Subsistence
 20 Board should look at it because there is concern about
 21 communities being divided over this subsistence issue.
 22

23 MR. ROMIG: Yeah, I'd like to comment, Roy --
 24 Mr. Chairman.
 25

26 CHAIRMAN EWAN: Yes.
 27

28 MR. ROMIG: Yeah, I guess my justification for
 29 -- you know, being for the proposal as Lee put it
 30 forward would be the divisiveness, you know, that it's
 31 caused down here on the community -- or the Peninsula,
 32 I mean. And I think I'd be inclined to go more toward
 33 the rural status probably because of the fact that
 34 actually if we even determined if it was non-rural, it
 35 would be five years before it actually became non-
 36 rural. So we'd still be dealing with these issues that
 37 are, you know, dividing us up for the next five years.
 38 So I think there has to be some consistency there with
 39 the decisions. And that's why I'd be inclined to agree
 40 with the proposal.
 41

42 CHAIRMAN EWAN: All right, that point you make
 43 is a very good one. This is the way it goes, right?
 44 Five years if we go non-rural?
 45

46 MR. BRELSFORD: If you go the other way...
 47

48 CHAIRMAN EWAN: Yeah.
 49

50 MR. BRELSFORD: ...if it goes from being a
 51 rural community and the population grows or something

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1 changes and it becomes non-rural, there's a five-year
2 lag time in order to be sure it's not just a temporary
3 change in population. Something short-term. So the
4 five years allows the board and the community to be
5 sure that the character of the community has really and
6 truly changed. So if you went from rural to non-rural,
7 it takes the five-year wait period that Ben mentioned.

8
9 CHAIRMAN EWAN: All right. Any other comments
10 on the motion?

11
12 MR. HENRICHS: Yeah, I got a comment here. I
13 sat and listened to all this testimony last night and
14 everybody kept waving the constitution, telling us
15 we're all equal. They don't want to be treated any
16 different than anybody else. Are we going to make
17 Anchorage area rural too then? Because if we make this
18 rural, then we're treating these people different than
19 other people in our -- in this region. It's -- to me
20 Port Graham and Nanwalek are certainly different than
21 the rest of the Kenai Peninsula. They are definitely
22 subsistence communities. The rest of the Kenai
23 Peninsula, I don't know about it and I would have to
24 think real carefully before I voted to classify the
25 whole Kenai Peninsula as rural.

26
27 CHAIRMAN EWAN: Fred.

28
29 MR. JOHN: I think I'll vote against it
30 because I believe that there's true subsistence use in
31 this area and I don't think -- you know, there is a
32 rural area and there's urban area. And I don't think
33 the Kenai is all rural area. I don't believe that. I
34 think we're probably taking away from the true
35 subsistence users.

36
37 CHAIRMAN EWAN: Gary.

38
39 MR. OSKOLKOFF: And Mr. Chairman, I'm still
40 inclined to vote in favor of the motion for a couple of
41 reasons. One is that it's a proposal. It's essen-
42 tially running the entire Kenai Peninsula up the flag
43 pole. And I'm sure that areas will drop out and become
44 urban in people's opinion over time, whether it's from
45 this advisory council or whether the board makes those
46 determinations. In the end, they are the ones that are
47 going to make those determinations. But essentially,
48 we've never looked at the question before, as the
49 advisory council. We've never had that opportunity.
50 And I believe that until we look at that question,
51 we're going to have a very hard time in discussing

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1 community. And what is a community, what isn't. And
2 as you, the members of the council, are no doubt well
3 aware, ever since I've been on this council I've
4 wrestled with the concept of what is a community as far
5 as ANILCA is concerned, and what is not. And I think
6 there has to be some definition put to that so that we
7 can move forward.

8
9 I think also that we're -- we're not casting
10 anything in stone but we are testing the water,
11 essentially. We're giving -- I think by making this
12 proposal, we're giving the people the opportunity to
13 speak one way or another on the issue. I know there
14 are going to be many in the non-subsistence camp -- if
15 I could use that term, I don't know how to define --
16 we're going to say, well, geez, if we could just -- if
17 we could just beat back the proposal on rural for the
18 Kenai Peninsula, we've won the day and there will be no
19 subsistence. I don't think that's going to happen but
20 I think there might be some effort in that direction,
21 so you might hear a lot of adverse testimony to what's
22 rural and what's not.

23
24 I believe there's a court decision which
25 pretty much answers the question and I think that will
26 come out in the staff analysis. I've read the decision
27 myself. It's plain English. Essentially the court has
28 said it. It has defined -- gone a long way in defining
29 what is rural and what is not and it has essentially
30 said that most of the Kenai Peninsula is rural as far
31 as I read it. So I don't think we're out of line in
32 doing that. I think just by that decision, that
33 propels us into that same discussion.

34
35 But I think we should keep in mind here that
36 there is one other criteria that people -- one other
37 hoop that people have to jump through. Even if we
38 declared the whole entire Kenai Peninsula rural, people
39 are still going to have to deal with the fact of C&T.
40 And even in places as different as Ninilchik and say
41 Kenai are, even though they both have a Native tribe
42 there, they're vastly different in size and vastly
43 different in composition, there are going to be
44 probably two different answers as to which one would
45 have a C&T based on your concept of community. So I
46 don't see this as a final decision, one way or another,
47 but I think it's a question we have to delve into
48 simply because we have to get the horse in front of the
49 cart.

50
51 ~~CHAIRMAN EWAN: Ralph.~~

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1
2 MR. LOHSE: Yeah, Mr. Chairman, I'd like to --
3 I had discussed some things on this over the break.
4 And what Gary brought out is something that Fred and
5 Bob need to keep in mind. This does not determine what
6 a community is qualified for. To declare something
7 rural still leaves the C&T determinations to go through
8 which basically can say that one community is more
9 qualified for a resource than another community, even
10 if both of them are declared rural. Basically what
11 we're asking for is a finding on the Peninsula as to
12 what is rural and what isn't rural. Once that
13 determination is done, we still have to go through C&T
14 to decide whether this -- this individual community is
15 qualified to use which resource and whether this
16 community is qualified to use the same resource. It
17 doesn't affect the C&T findings; it affects whether a
18 community is even eligible to have a C&T finding. All
19 rural communities are eligible to have a C&T finding.
20 Whether they're eligible for a C&T finding on a certain
21 individual species or in a certain area is what has to
22 be determined. Port Graham, Nanwalek have C&T -- in
23 fact, we've gone through C&T in quite a bit of Port
24 Graham and Nanwalek. The fact the rest of the Penin-
25 sula even would be declared rural does not affect their
26 C&T. It may end up giving somebody else C&T in the
27 same area; it may not, depending on what the finding
28 is. That's the part that we still have to go through.
29 That's the part that actually determines whether a
30 community gets to use a game resource or not. Am I
31 right, Gary, on that?

32
33 MR. OSKOLKOFF: That's my assessment of what
34 the proposal would do.

35
36 MR. LOHSE: Yeah.

37
38 MR. OSKOLKOFF: Essentially, what it would
39 allow us to do. And to further state it, it's my
40 understanding that we would -- that because we are --
41 with this proposal, we are not making a declaration,
42 one way or another, that the current existing hunts
43 that were available because of the rural determination
44 and C&T determination that we previously had, would
45 exist until we found otherwise. Is that the
46 understanding of the staff?

47
48 MR. BRELSFORD: Mr. Chairman, to verify Gary's
49 point, existing determinations and seasons and harvest
50 limits and so on would remain in effect until changed.
51 ~~They're not suspended while another review of rural~~

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1 and non-rural status takes place. So the decisions
2 that the board reached in July would continue until
3 they're overturned or revised, even while the rural
4 status is under review.

5
6 CHAIRMAN EWAN: All right, any further
7 discussion on the motion? If not, are you ready to
8 vote?

9
10 MR. OSKOLKOFF: Call for the question.

11
12 CHAIRMAN EWAN: Okay. All in favor of the
13 motion say aye.

14
15 MR. OSKOLKOFF: Aye.

16
17 MR. LOHSE: Aye.

18
19 MR. ROMIG: Aye.

20
21 MR. BASNAR: Aye.

22
23 CHAIRMAN EWAN: Opposed by the same sign?

24
25 MR. JOHN: Aye.

26
27 MR. HENRICHS: Aye.

28
29 MR. MARSHALL: Two opposed?

30
31 CHAIRMAN EWAN: Two opposed; the rest are for.
32 The motion passes. Okay, where does that take us now
33 then, Taylor?

34
35 MR. BRELSFORD: Well, I think in effect, that
36 concludes action on the deferred C&T determinations on
37 the Kenai Peninsula and so on. And at this point in
38 the agenda, Mr. Chairman, we're ready to look to the
39 future, a C&T process that the board and the councils
40 adopted this current year. And under the agenda item,
41 Rachel and Bruce would have some information to provide
42 to you and then entertain discussion.

43
44 CHAIRMAN EWAN: Okay. This is the C&T
45 process, Item 4.

46
47 MS. MASON: Yeah, now this is a change of
48 lanes all together. This is a slightly different form
49 of C&Ts than what you guys have worked with all through
50 this time.

51
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1 In April 1995, the board adopted a revised
2 customary and traditional determination process. So
3 beginning this year, C&T eligibility for all species
4 within a region is not going to be reviewed as you did
5 for the Kenai Peninsula. Instead, individual proposals
6 dealing with particular resources within a unit or
7 units will be considered. So it will go species by
8 species, with individual proposals. There's also -- as
9 you probably know, there's a backlog of more than 200
10 such individual proposals from the past. And the
11 requesters were sent letters that told them that we
12 weren't considering individual C&T proposals at the
13 time, but we would keep them on record until we did.
14 And now that we're doing it, we need to review the
15 previously submitted proposals and to reduce the
16 numbers that we have to analyze and consider.

17
18 By now, many of those old proposals are moot.
19 And for your own consideration, what you will be going
20 through at this meeting -- the ones that deal with the
21 Kenai Peninsula large mammals have already been dealt
22 with in your regional C&T review. So you probably
23 don't want to consider them now. The ones that you
24 might want to look at are ones for the Kenai Peninsula
25 that deal with small mammals or deal with fish. And
26 the other ones, of course, are the proposal --
27 individual proposals from the backlog that deal with
28 Southcentral regions other than Kenai Peninsula.

29
30 So at this meeting, this council needs to
31 decide what its priorities for the C&T proposals are.
32 In addition to going through the ones that are in the
33 backlog, then we'll also be going through the --
34 from the regulation book, the subsistence determin-
35 ations that are already on the books. And the council
36 members, through their knowledge of their particular
37 region, can assist in telling what are the issues that
38 are burning issues in their own regions and then -- in
39 order to say what those important proposals are. The
40 staff wants to be able to come away from the council
41 meeting with some guidance on priorities so that we can
42 start analyzing the proposals. So that we can develop
43 a prioritized list that includes both the backlog
44 proposals and the new C&T proposals.

45
46 You got a copy in your notebooks of the new
47 form for -- that includes both proposals on seasons and
48 bag limits and proposals that would come in for C&T.
49 What we did was just add an additional page for C&T
50 requests, which adds some new questions. And those
51 questions essentially address the kind of information

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1 that comes up in the eight factors that are used to
2 evaluate C&T. And the proposers will not know the
3 answers to all the questions but in the form, you're
4 given an opportunity to give as much information as
5 possible. And that would include things like how
6 resources are processed, how they're shared, how
7 knowledge is passed down about them.

8
9 You were also given a sample of how one of
10 these C&T requests might look. And that sample shows
11 that the proposer doesn't always have all the informa-
12 tion but you're asked to give as much information as
13 possible. So I'll answer any questions that you might
14 have about the process or about the new way of looking
15 at C&T.

16
17 CHAIRMAN EWAN: Are there any questions?
18 Thank you.

19
20 MS. MASON: You bet.

21
22 MR. BRELSFORD: Mr. Chairman, just to tie
23 Rachel's presentation to the materials in your
24 notebooks, we're under Tab 8 and there's a fold-out --
25 a deal that you have to fold out like this (indicating)
26 -- that includes these proposals from previous years,
27 the backlog that Rachel referred to. So, you know,
28 just a quick glance will give you an example -- give
29 you ideas of what kinds of proposals have come forward
30 in the past for other parts of Southcentral Alaska for
31 up near Denali or over in the Copper River Basin.
32 Those would be some of the ones that you might want to
33 look at and, kind of, pick the most critical priorities
34 to put on the table for action this coming year. This
35 is the backlog. That's what she's referring to and the
36 exercise is for the council to say the, you know, the
37 most important priorities, the urgent priorities would
38 be a handful of key ones out of the backlog.

39
40 CHAIRMAN EWAN: The actions taken on these
41 proposals, these were by the Federal Subsistence Board?

42
43 MR. BRELSFORD: There's been no action taken
44 on -- these ones that are referred to as the backlog,
45 they sat in a file...

46
47 CHAIRMAN EWAN: But there is some...

48
49 MR. OSKOLKOFF: It says denied.

50
51 CHAIRMAN EWAN: ...some that says denied and

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1 all that. Yeah.

2
3 MR. BRELSFORD: Sorry. There are special
4 cases...

5
6 MS. MASON: Yes. Some of those issues have
7 been denied through other action -- through other
8 proposals that have come before the board, as I
9 understand it. It wasn't those proposals themselves
10 that were denied but that issue has been denied in some
11 other way. And that's what it turned out when, I
12 think, it was Janis Meldrum...

13
14 CHAIRMAN EWAN: But they're still on the table
15 for us or what?

16
17 MR. BRELSFORD: Maybe you can clarify -- on
18 the first page, Rachel, two items...

19
20 MS. MASON: Yeah.

21
22 MR. BRELSFORD: ...have the word "Denied"...

23
24 MS. MASON: Yeah.

25
26 MR. BRELSFORD: ...written and then the third
27 item down says "Live" over on the left hand...

28
29 MS. MASON: Okay. Maybe Bruce can clarify
30 that because Janis is the one that said "Let's put
31 those in there" since they were denied and they're
32 going...

33
34 MR. GREENWOOD: Well, as far as I know
35 that's...

36
37 MS. MASON: This yellow page that follows it
38 is an explanation of what happened with those ones that
39 said they were denied.

40
41 MR. GREENWOOD: I think most of these
42 proposals were the ones that came up through the
43 Environmental Impact Statement process and also other
44 requests to the board to change C&T determinations is -
45 - regarding, let's say, "Denied", I don't have a direct
46 answer on being denied or not but I think Rachel
47 responded to that appropriately by saying through some
48 other action the board -- the board reviewed that was
49 essentially denied. But I think the important thing to
50 consider on these is that these are past C&T proposals
51 that have come up from the people that you represent.

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1 And they may be issues now; presently, they may not be
2 issues now, depending upon the proposal that is there.
3 I think what Helga had intended on doing was having
4 each council member review this list, review the
5 existing C&T regulations, and then come up with one
6 issue or one proposal from each council member to be
7 addressed this year -- what one of her thoughts was,
8 or, at least, to be brought to the council and then
9 from there a priority -- prioritization would take
10 place. So it's merely -- from my understanding, it's
11 merely to review the existing proposals. You don't
12 necessarily have to adopt one of these or carry one to
13 the board unless you feel it is a priority issue for
14 this council.

15
16 CHAIRMAN EWAN: All right. I think we ought
17 to take a minute here or so to go through these if
18 we're going to prioritize these proposals.

19
20 MR. OSKOLKOFF: Mr. Chairman, are we going to
21 take -- does the staff need our advice immediately or
22 can we give that perhaps at the end -- maybe move this
23 to more of the end of the meeting and therefore have a
24 chance to digest it over the evening?

25
26 CHAIRMAN EWAN: Is there any objection from
27 the staff if we made the recommendation at the end?
28 Later on? Tomorrow sometime?

29
30 MR. BRELSFORD: Let's look at the agenda. I
31 think the idea of juggling the agenda to allow for some
32 review time by the individual members is sound. Let's
33 see where that might fit. I'm told that Helga actually
34 had a little bit more specific idea in mind that would
35 involve going subregion by subregion; perhaps talking
36 about the Prince William Sound area for a few minutes,
37 then the Copper River Basin for a few minutes, then
38 Unit 13 for a bit, and perhaps other sub-units. We
39 focused most of our attention on the Kenai, but these
40 other areas would really be new discussion for us. I'm
41 told that her hope was that the council members from
42 those subregions could lead the discussion of what
43 critical issues remain in your individual subregions,
44 and so which of these proposals ought to be brought
45 forward as priorities. That's not a -- that may -- it
46 may have to be done at a later time in order to provide
47 for some...

48
49 CHAIRMAN EWAN: I think we need some time
50 because I'm not familiar with some of these proposals.
51 ~~You know, the background on all the proposals from~~

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1 Unit 13, 11 and 12, the area that I come from.
2
3 MR. BRELSFORD: Right.
4
5 CHAIRMAN EWAN: Yeah.
6
7 MR. OSKOLKOFF: Mr. Chairman, could I ask one
8 more question of the staff?
9
10 CHAIRMAN EWAN: Yes.
11
12 MR. OSKOLKOFF: How are these to interlace
13 with proposals that may be received before the deadline
14 here in October? Will those be considered in a whole
15 different batch or, you know, just how are you going to
16 go about it?
17
18 MS. MASON: Well, that -- ideally the backlog
19 proposals would be considered in addition to any new
20 proposals but the council may well decide that one of
21 the old proposals is not exactly appropriate now. So
22 they may wish to simply formulate a new proposal that
23 is based on the old one. And just with a cover letter
24 or something saying, the proposal as it stands -- or
25 amend or modify the old proposal. But ideally, the
26 prioritized list should include both backlog proposals
27 and new proposals that the council may wish to submit.
28
29 MR. MARSHALL: And there was no intention
30 Mr. Chair, for the earlier proposals to have any weight
31 over the others just because they were submitted
32 earlier. The intention was, we didn't want people that
33 have been told in the past, "No, this C&T is not --
34 we're not dealing with this now." We didn't want those
35 people to have to apply -- you know, submit another
36 proposal on the same thing. So you can take the
37 backlog and the new ones and any ones you might come up
38 with and you needn't weight them according to when they
39 were submitted.
40
41 MR. OSKOLKOFF: Mr. Chairman. If I could just
42 ask one more question on the tail-end of that. So
43 these are -- these proposals and the new proposals are
44 going to run the same timeline then? Essentially
45 they're going to...
46
47 MR. MARSHALL: Well, I don't know...
48
49 MR. OSKOLKOFF: ...be put together and run for
50 the next year or not?
51

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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
SEPTEMBER 28, 1995 PUBLIC MEETING - VOLUME 2

1 MR. MARSHALL: Once they're prioritized, their
2 potential is that we might not be able to deal all with
3 them this year. So once we get a list of priorities,
4 we will probably draw a line and say we can handle this
5 much this year and we're going to have to defer the
6 others until next year. It depends on how
7 much staff we've got to handle these. So I don't want
8 to give the impression that they're all going to
9 handled at the same time. They may not be. This list
10 of priorities is going to perhaps require us to deal
11 with some of these at a later date.

12
13 MR. OSKOLKOFF: My question is, because if we
14 prioritize these now and then the end of October we
15 have a dozen more proposals, don't we have to
16 reprioritize things again or -- or where do those come
17 in at?

18
19 CHAIRMAN EWAN: Bruce.

20
21 MR. GREENWOOD: I think it gets pretty easy to
22 get really confused by the backlog proposals, the new
23 proposals that may come in from the public and what the
24 regional council does. And I think in my discussions
25 on this, I think it's really -- the course that's
26 important is for the regional council to decide where
27 their C&T priorities as a whole and everything else
28 would kind of fit under that. For example, you may
29 have an issue in Copper River Basin that you want it
30 resolved immediately. That would be like the number
31 one priority to be resolved. And maybe then the one --
32 Parks Highway might be another priority issue. That
33 might be number two priority issue that wants to be
34 resolved. And there might be a couple of other ones
35 that you'd want to work on. So you might have five
36 proposals that you'll want to work on this year -- to
37 have some resolution of this year. Anything else that
38 would come in later in the year would then just be
39 added on to the list underneath that. And at the
40 winter meeting, you could then re-look at any other C&T
41 proposals that came in between now and the end of
42 October, and then reprioritize for the following year.
43 And so this is going to be a dynamic process that's
44 going to continue to -- I would imagine your priorities
45 may change on a year to year basis.

46
47 CHAIRMAN EWAN: Ralph.

48
49 MR. LOHSE: Mr. Chairman, I was listening to
50 what Taylor was saying before about what Helga had in
51 mind and I was looking at our agenda right here. And

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1 before we were -- could get into these existing C&T
2 proposals -- review of ones that -- from the past, one
3 of the things we were supposed to do is try to, as a
4 C&T council, identify issues from our regions. Do we
5 have any, in other words, burning issues that we feel
6 need addressed from the region in which we live. And
7 then when we look at these, we look at these in light
8 of those issues and say this proposal fits into this
9 issue in Unit 13 and can be addressed underneath that
10 priority. This issue here is a dead issue at this
11 point in time, it's not on our priority list. We have
12 to defer it to a future date.
13

14 But before we can get into these -- I really
15 feel like we have to do like Taylor said -- is go
16 around and, making use of what we know, try to identify
17 four or five priorities or some priorities or one or
18 two or three, whatever it is, from the areas that we're
19 in. Whether we have -- if we don't have one, we don't
20 have one. And then take a look at these things and
21 say, now how did these fit into those priorities?
22 Either that or we can go through these on a one-by-one
23 basis and say, "Well, we don't want to take action on
24 this one. This one sounds dumb. This one here we
25 don't see any need for. This one here looks like one
26 we'd like to look at." But I really do think that the
27 first thing that we should do is, you know, to me, we
28 have some issues that we've brought up as priorities
29 before. The Kenai subsistence moose hunt is one. The
30 Cantwell Road -- not the Cantwell Road but the road up
31 by Denali is one that we've put on a list as something
32 that we've said needs to be looked into.
33

34 Personally, I don't have any priority issue
35 that needs to be looked into from my own standpoint but
36 maybe other people do. And I think that would be one
37 way to get started on this is, like he said, by sub-
38 unit by sub-unit or by unit by unit, or by area that
39 we're from. Do we see an issue in our area that's a
40 priority that needs to be addressed?
41

42 CHAIRMAN EWAN: Yeah, well, along those lines,
43 can we just go ahead and -- you've already made your
44 comments, right, on that?
45

46 MR. LOHSE: I've already made my comments from
47 the standpoint that I don't see any burning issues...
48

49 CHAIRMAN EWAN: Right.
50

51 MR. LOHSE: ...in my area that I know of.

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CHAIRMAN EWAN: Did you have...

MS. MASON: Mr. Chairman, I just wanted to agree with what Mr. Lohse suggested and then also suggest that, just so the council doesn't waste its time trying to shuffle this backlog and so forth, that the important thing, as far as the staff is concerned, is to find out what the issues are from each sub-region. We can do the work of, you know, batching in the new proposals into these kinds of issues, as long as we have guidance from the council as to what kinds of things you think are the most important.

CHAIRMAN EWAN: Okay, thank you. Ben, do you have any burning issues from your area?

MR. ROMIG: Well, no, I don't think so. I guess what I was kind of confused about was, I know there was particular proposals in here from people from my area. And they've been deferred essentially and now we've, you know, deferred action on customary and traditional use down there. And so I can't see that anything would be -- you know, how could you prioritize something that you don't have? In other words, we don't really have it -- right now I think we're dealing with -- on the Peninsula -- in fact, it would be Ninilchik, Port Graham and Nanwalek. Any proposals out of those areas wouldn't be, you know, a real high priority.

CHAIRMAN EWAN: Okay. Well, from my area -- Copper River Area -- I haven't heard anything lately that people really want up there. I think they got what they want in a moose hunt. The only thing that the Copper River Area wanted and didn't get in the past is the ability to hunt in Unit 11 for caribou. And I believe that the Park Service recommended that there would be no hunt in that area and that's how this council voted. That's the only issue I heard talked about that we should -- the people in the Copper River region, they want the ability to hunt for caribou in Unit 11. I haven't heard of anything unless Fred might know of something. He's from that area also.

MR. LOHSE: Mr. Chairman, can I ask you a question?

CHAIRMAN EWAN: Uh-huh (affirmative).

~~MR. LOHSE: I hadn't heard, how did your~~

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1 subsistence moose hunt turn out up there? Did it work
2 out? Did it have any effect at all?
3

4 CHAIRMAN EWAN: Yes, I was going to mention
5 that. Yes, I heard some favorable comments about that.
6 It really helped some of the people. In the past, I
7 think statistics showed -- or data showed that we had
8 something like two moose in special hunts in the past
9 or something like that. This time we have, I think,
10 something like five -- five moose. Five moose is five
11 moose, you know.
12

13 MR. LOHSE: Uh-huh (affirmative).
14

15 CHAIRMAN EWAN: It's some meat on the table.
16 I think it helped a lot. Lee.
17

18 MR. BASNAR: Yeah, I've got this Parks Highway
19 problem that we've been wrestling with for maybe 10
20 years. But I've got a question before I decide whether
21 I want to prioritize this again or not. If I may ask
22 one of Mr. Twitchell from the Park Service? Hollis,
23 I'm going to put you on the spot but -- in here it
24 says, the name of the requestor, it says Mr. and Mrs.
25 O'Connor. Is that Pat O'Connor and his wife?
26

27 MR. TWITCHELL: That's correct.
28

29 MR. BASNAR: It's my understanding Pat
30 O'Connor has moved -- is no longer living in the area.
31 Therefore this would become moot based on this
32 particular requestor.
33

34 MR. TWITCHELL: That's correct. Pat has moved
35 into the Palmer area on a permanent basis and that's in
36 a non-rural area. So he's no longer a local user in
37 the Denali area. Farther in your book I believe you'll
38 see that the same proposal has been submitted by the
39 Middle Nenana Advisory Committee to look at the C&T for
40 moose in that area as well. So I think there's several
41 different requestors beyond Pat, asking for a review of
42 that same area.
43

44 MR. BASNAR: Thank you. In that case, Mr.
45 Chairman, I would have that as a priority in my area.
46 It's been a priority. I've been asked I don't know how
47 many times, "Do you want me to prioritize this?" And
48 the answer has always been yes. And here we are, still
49 on the backlog list. I think ...
50

51 CHAIRMAN EWAN: So you don't have anything?

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1
2 MR. MARSHALL: And would you restate what it
3 -- Lee, what it is -- species and the area?
4

5 MR. BASNAR: Yes. We're talking about moose
6 and caribou. Do you want -- would it be easier if I
7 just give you the code number?
8

9 MR. MARSHALL: Sure.
10

11 MR. BASNAR: Okay. 048, 049, and there are
12 others which I have not studied that the Middle Nenana
13 Advisory Committee has come up with. And they seem to
14 be a series that starts with...
15

16 MR. JOHN: 55 to 60.
17

18 MR. BASNAR: Yeah, well, actually 52 and 53. I
19 don't know what happened to 54. And then 55, 56. And
20 they ...
21

22 MR. MARSHALL: Do they all deal with the same
23 area?
24

25 MR. BASNAR: And they all deal with the same
26 area, the same species.
27

28 MR. MARSHALL: And it's just the Denali
29 Highway?
30

31 MR. BASNAR: Yeah, it's along the Parks
32 Highway...
33

34 MR. MARSHALL: Parks Highway.
35

36 MR. BASNAR: ...between those two specific
37 mileposts. And these people were...
38

39 MR. MARSHALL: Okay, thank you.
40

41 MR. BASNAR: ...dropped out. That's all I
42 would have.
43

44 CHAIRMAN EWAN: All right. Thank you. I
45 think I've got to clarify one thing. Ralph asked me
46 about the special moose hunt that -- for the audience,
47 I guess I better clarify what we were talking about.
48 This was the extension of days for a subsistence moose
49 hunter in Unit 13. The people over there requested
50 that and I believe we gave them a 10-days extension
51 before ~~gave them a head start up in that area. In~~

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1 the Copper River Basin, you know, there's not that much
2 federal land. It's mostly State and Native corporation
3 lands, which is all managed under the State Fish and
4 Game management. So the federal lands are a strip of,
5 oh, about a mile, two, three miles wide along the
6 highway up around Sourdough to -- almost to Paxson.
7 But we're not talking about a lot of federal land. The
8 Parks land, which is also federal land, has their own
9 management program. So that is what we were talking
10 about. Just that little piece of land up by Sourdough.
11 I thought I'd clarify that before we -- somebody might
12 want to know what we were talking about. Robert, do
13 you have...

14
15 MR. HENRICHS: I don't see much in here
16 concerning our area but I know there will be some
17 proposals put in before the October 27th deadline.

18
19 CHAIRMAN EWAN: Okay. Gary.

20
21 MR. OSKOLKOFF: We've spent a long time
22 highlighting my areas as -- I hate to belabor it any
23 further. However, there will be a proposal coming
24 forth from the Ninilchik Traditional Council which will
25 ask to change the season that we have currently been
26 given for moose. I would ask for the staff to be
27 prepared to look into that one. And the hottest topic,
28 of course, after that is going to be salmon. And not
29 that we haven't had enough controversy here, but that
30 is going to be the next hot topic for, I think, the
31 Kenai Peninsula. And I think while everybody's in such
32 fine fettle, we may as well ask the staff to start
33 looking into the facts concerning that. Although there
34 are proposals regarding that presently in the packet
35 that we have before us, I think those will be further
36 clarified and amended before the October deadline.

37
38 MR. MARSHALL: Gary, the first proposal you
39 mentioned would be Subpart D proposal on the season or
40 it would be a C&T?

41
42 MR. OSKOLKOFF: No, it would be just a change
43 in the season.

44
45 MR. MARSHALL: Okay.

46
47 MR. BRELSFORD: So the second with the salmon
48 would be a C&T...

49
50 MR. MARSHALL: Yes.

51

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1 MR. OSKOLKOFF: Yeah.
2
3 MR. BRELSFORD: ...determination.
4
5 MR. MARSHALL: So this is more or less an
6 early warning, rather than what your recommendation
7 that this is a priority item? I'm not sure.
8
9 MR. OSKOLKOFF: I think these will be two --
10 they exist. One exists in a season -- existing season
11 and one exists as a proposal now. But I'm just saying
12 that that proposal will probably be modified and I
13 think those are going to be the two that we will be
14 focusing on from my area.
15
16 MR. MARSHALL: Thank you.
17
18 CHAIRMAN EWAN: Fred.
19
20 MR. JOHN: Well, what I got was the extended
21 hunt on federal land and people from my village and
22 surrounding area were really happy with it. And I
23 believe they went out and they -- you know, it was more
24 an equalizer there because in our area when there's
25 hunting season, the village usually don't catch
26 anything. Any -- you know, right from there so, it
27 kind of equalized everything if you want to call that
28 equal. But I didn't get anything because I was in the
29 hospital. I took a vacation and ended up being in the
30 hospital almost three weeks. But I was sad about that.
31
32 And the other hunt -- the state hunt, they all
33 had a turn to hunt up there. And we went up to
34 Fairbanks to see our Copper River Native Association.
35 A bunch of us from Mentasta. It was pretty inter-
36 esting. We convinced four of them we needed a Tier Two
37 hunt in Unit 13. They gave it to us and then the State
38 turned around and opened it up to everybody -- the
39 State of Alaska. And I don't know if that was good or
40 bad but it, kind of, made more people come in that area
41 from everywhere, you know. Everybody had a chance to
42 get -- I think Tier Two hunt was more sub- -- the local
43 subsistence area. That was disappointing but it -- the
44 people were really happy with that. I think it kind of
45 -- kind of made them think that, you know, at least
46 somebody's probably looking out for them, you know. So
47 it was a good year.
48
49 MR. MARSHALL: You know, Fred, excuse me, but
50 the way you -- I think this is similar to Gary, that
51 this is probably going to be an adjustment to an

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1 existing season or is this a C&T?
2
3 MR. BRELSFORD: I think it was a report saying
4 that the council's action and the board's action last
5 year was successful...
6
7 MR. JOHN: Yeah.
8
9 MR. MARSHALL: Okay. But it isn't...
10
11 MR. BRELSFORD: ...in improving the
12 subsistence season this fall for people.
13
14 MR. MARSHALL: Okay. But it's not a C&T
15 priority issue, is what I'm trying -- that's what I'm
16 trying to capture here for the notes. Thank you.
17
18 CHAIRMAN EWAN: Yeah, Fred also mentioned
19 about the special Tier Two hunt or something the State
20 passed.
21
22 MR. JOHN: The special Tier Two hunt the State
23 had. That was -- that was good for them.
24
25 CHAIRMAN EWAN: You know, since you mentioned
26 that, I just want everybody to know that in the last
27 two times that I applied for a caribou permit, I didn't
28 get a caribou permit. And that's years now -- for
29 several years now I haven't had a caribou permit, so...
30
31 MR. MARSHALL: You're not doing enough
32 creative writing there in your application.
33
34 CHAIRMAN EWAN: Okay, that, I guess,
35 constitutes all the comments from the various areas.
36 Anybody else have additional comment? Is
37 that enough?
38
39 MS. MASON: That's...
40
41 CHAIRMAN EWAN: Nobody has any real burning
42 issues.
43
44 MS. MASON: Yeah, I think it would not be
45 productive to continue to go through the things. I
46 think it's better to just go on the basis of this kind
47 of recommendation.
48
49 CHAIRMAN EWAN: Taylor, do you have any
50 comments on this?
51

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1 MR. BRELSFORD: Well, I noticed that Helga
2 wanted to ask you to look at the existing ...

3
4 MS. MASON: The existing regulations.

5
6 MR. BRELSFORD: The next step in the sequence
7 in the agenda. Do you want to go ahead?

8
9 MS. MASON: You have the regulation book.

10
11 MR. BRELSFORD: Well, each of the council
12 members -- in the pocket in the back of your book,
13 you've got a copy of the federal regs. And I think
14 what Helga had in mind is for everybody to turn to Unit
15 6 beginning on page 41. The introduction is on 41; the
16 real C&T determinations are found starting on page 42.

17 But if we were to just glance over those quickly,
18 you'll see that for Unit 6 the existing C&T deter-
19 minations for black bear are in that top right hand
20 box. I think what she wanted to do was to have people
21 look at the unit as a whole -- these existing
22 C&T determinations and see if there are any obvious
23 glitches, any communities left out, any obvious
24 problems with them. And that then we would go to the
25 remaining units located within Southcentral Alaska.

26 It's, kind of, a second step on being sure we've
27 thought out the issues and the priorities.

28
29 CHAIRMAN EWAN: Okay. So we should go down
30 species by species? Is that what you're saying?

31
32 MR. BRELSFORD: I think that was Helga's idea,
33 yes.

34
35 CHAIRMAN EWAN: I'll wait -- you wanted
36 comments on these?

37
38 MR. BRELSFORD: That's right.

39
40 CHAIRMAN EWAN: All right.

41
42 MR. BRELSFORD: Particularly those of you from
43 Unit 6. If you see problems in these as you glance
44 down, this would be a -- they might refresh your
45 memory, for example, if...

46
47 CHAIRMAN EWAN: All right, any comments on ...

48
49 MR. MARSHALL: Mr. Chairman, it might ...

50
51 CHAIRMAN EWAN: Yes?

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1
2 MR. MARSHALL: Excuse me, Mr. Chairman. It
3 might help to explain before you begin this process,
4 what the differences are between a no determination and
5 no subsistence. It confuses a lot of folks, including
6 sometimes ourselves.

7
8 CHAIRMAN EWAN: All right. Do you want to do
9 that on the ...

10
11 MR. MARSHALL: Yeah, basically a no det- --
12 these determinations were adopted from the State at the
13 time the federal government took over. A no deter-
14 mination means that there has not -- the issue has not
15 been addressed. It was not addressed by the State back
16 when they had jurisdiction and has not yet been
17 addressed by the Federal Subsistence Board. When you
18 see a no determination, that just means it hasn't been
19 dealt with and under our regulations, that also means
20 that any rural resident of the state is eligible to
21 hunt that species in that area under our regulations.
22 In other words, it excludes no one, because deter-
23 minations haven't been made.

24
25 When you see a no subsistence, that means the
26 boards have dealt with the issue and have come up with
27 the finding that people in a particular area or commun-
28 ity do not -- have not customarily and traditionally
29 harvested animals and therefore, they cannot be hunted
30 under our regulation by those people in those areas.
31 So there's an important distinction when you look over
32 -- and some of the no determinations, you might want to
33 think about that whether you're satisfied with a
34 situation where any rural resident can come into that
35 area and hunt under our regulations.

36
37 CHAIRMAN EWAN: All right. Thank you.
38 Process, I guess, wise, I'd like to, kind of, go
39 through these right away because we have quite a list
40 here. Ralph, do you have a...

41
42 MR. LOHSE: Yeah, Mr. Chairman, I'd like to
43 ask Taylor a question if I can. I'll wait 'til he gets
44 back.

45
46 CHAIRMAN EWAN: While we're waiting, do you
47 have any comments on black bear in Unit 6?

48
49 MR. LOHSE: Yeah, that's what I want to ask
50 him on. I've wondered why it says "except Cordova,"
51 you know.

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1 MR. BASNAR: That was my question.
2
3
4 CHAIRMAN EWAN: Taylor, there's a question for
5 you.
6
7 MR. BRELSFORD: Yes, I'm sorry.
8
9 MR. LOHSE: When we take a look at black bear,
10 evidently then there has been a determination for these
11 communities right up here? Is that -- am I...
12
13 MR. BRELSFORD: That's correct. Those were
14 the original determinations incorporated into the
15 federal program.
16
17 MR. LOHSE: And do you have any idea why
18 Cordova was left out of that one there?
19
20 MR. BRELSFORD: I'm not going to have the
21 specialized knowledge, no.
22
23 MR. LOHSE: Yeah.
24
25 MR. BRELSFORD: And I'm not sure if anybody
26 here works ...
27
28 MR. ZEMPKE: I think it was when the State had
29 that regulation.
30
31 MR. BOS: Mr. Chairman?
32
33 CHAIRMAN EWAN: Yes, there we go.
34
35 MR. BOS: At the time the State was making its
36 determinations, the Cordova community, through the
37 Cordova Fish and Game Advisory Committee, did not want
38 to participate in having a subsistence determination
39 for that community.
40
41 MR. LOHSE: That's right. You're right.
42
43 MR. BOS: And so the Board of Game excluded
44 Cordova from that positive determination.
45
46 CHAIRMAN EWAN: Will that answer your
47 question?
48
49 MR. LOHSE: You're right. I can remember that
50 basically they said that they could exist underneath
51 the current sport license.

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1
2 CHAIRMAN EWAN: Is everything okay on black
3 bears then? Ralph.

4
5 MR. LOHSE: I guess it's okay, yeah.

6
7 CHAIRMAN EWAN: Can we move down -- yeah, go
8 ahead.

9
10 MR. HENRICHS: No,...

11
12 CHAIRMAN EWAN: Oh, okay.

13
14 MR. HENRICHS: ...it's not okay. I don't want
15 Cordova excluded period. I don't care what the local
16 advisory committee said. Our tribe, I know, doesn't
17 want to be excluded and they don't work through the
18 advisory committee.

19
20 CHAIRMAN EWAN: Do you want to recommend that
21 Cordova be included?

22
23 MR. HENRICHS: Yeah, I certainly do.

24
25 MR. BRELSFORD: The step at this stage in the
26 process would be a proposal. And the proposal form is
27 the one that Rachel went through a few minutes ago. So
28 either the tribe itself or individual council members
29 or the council as a whole would need to fill out a
30 proposal and submit that to start the process of review
31 this year.

32
33 CHAIRMAN EWAN: Okay?

34
35 MR. HENRICHS: Sure.

36
37 CHAIRMAN EWAN: Yeah. Somebody else have a
38 comment somewhere? I'd like to go down and to look ...

39
40 MR. MARSHALL: Is the intent here -- I'd just
41 like to clarify -- is the intent that we are going to
42 expect a proposal to be submitted? I want to clarify
43 that in those cases where I'm going to walk out of here
44 with a proposal form filled out...

45
46 CHAIRMAN EWAN: Will there be a proposal
47 coming forth?

48
49 MR. MARSHALL: ...and no further action's
50 necessary and make sure that when one comes up where I
51 don't fill a form out, I'd like to know who you

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1 know, be sure there's going to be follow-up and that
2 people -- somebody knows that that's going to be
3 required.

4
5 MR. HENRICHS: I understand that.

6
7 MR. MARSHALL: Okay.

8
9 CHAIRMAN EWAN: So, we can expect a proposal
10 on this then?

11
12 MR. HENRICHS: Yeah, you're going to get
13 probably several proposals.

14
15 MR. MARSHALL: Thank you, Mr. Chair.

16
17 CHAIRMAN EWAN: Okay. The next species, brown
18 bear. Does anybody have comments on that? (Pause)

19 If not, we'll move on to deer. It says here it
20 was determined no determination. I'm not familiar with
21 deer at all so I don't have any comments myself.

22
23 MR. HENRICHS: I expect there will be some
24 proposals on deer too.

25
26 CHAIRMAN EWAN: All right. Robert just said
27 that he expects proposals on deer here too. Go on to
28 goat? No comments. What about moose? No comments.
29 We'll move on to coyote? No comments. To red fox?
30 How about hare? Rabbit? No comments. We'll go to
31 lynx? The wolf? Wolverine? Grouse? Ptarmigan? Do
32 you want us to go to the trapping also, at the same
33 time? For trapping, beaver? Any comments on beaver
34 trapping? All right, no comments. We'll move on to
35 coyote again, for trapping? No comments. To red fox?
36 Lynx? Marten? Mink and weasel? Muskrat? Otter?
37 Wolf? Wolverine?

38
39 MR. OSKOLKOFF: That's some pretty thin
40 eating.

41
42 MR. BRELSFORD: Well, I think the -- so the
43 benefit of this discussion is to realize that there is
44 a pretty strong concern around -- on the issue that
45 Robert raised, that the tribe will submit a proposal.
46 Remember, our concern right now is priority setting.
47 Recognizing where the issues are. So for many things,
48 there weren't concerns; in one key issue there is.

49
50 CHAIRMAN EWAN: Okay.

51
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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
SEPTEMBER 28, 1995 PUBLIC MEETING - VOLUME 2

1 MR. BRELSFORD: So that's kind of the value.
2 We can be...
3
4 MR. HENRICHS: Yeah.
5
6 MR. BRELSFORD: ...quick about it, but this is
7 helping us to learn what the priorities are in the
8 region. Unit 7 would be the next...
9
10 CHAIRMAN EWAN: Okay, Unit 7.
11
12 MR. BRELSFORD: ...unit concerned, Mr.
13 Chairman.
14
15 CHAIRMAN EWAN: Why don't we just take the
16 whole thing and just ask if there are any
17 recommendations for change or...
18
19 MR. OSKOLKOFF: Mr. Chairman, if I could, on
20 Unit 7, I believe there are proposals -- a variety of
21 proposals from Ninilchik residents and from the
22 Ninilchik Traditional Council regarding both Units 7
23 and 15 but I think we can -- we can take them up in the
24 form of the proposals that are currently there. I
25 don't see that they are going to override the
26 priorities that I mentioned earlier. Is that helpful
27 at all?
28
29 MR. BRELSFORD: I believe so. I think that's
30 -- maybe we're finished on Unit 7 and we can move on.
31
32 MR. OSKOLKOFF: I would defer to Ben, if he
33 has any comments regarding Unit 7.
34
35 MR. ROMIG: I guess I don't -- you know, I
36 can't really speak for what somebody else is going to
37 send in.
38
39 MR. OSKOLKOFF: Yeah.
40
41 CHAIRMAN EWAN: That is true. There's no way
42 of knowing what, really -- many people in the problem
43 area right here, don't communicate that much. And if
44 anybody has any -- you know, in the audience -- has any
45 comments, I'd be willing to listen to it. There's no
46 recommendation on Unit 7 so we'll move on to...
47
48 MR. BRELSFORD: Unit 11...
49
50 CHAIRMAN EWAN: 11.
51

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SOUTHCENTRAL SUBSISTENCE REGIONAL ADVISORY COUNCIL
SEPTEMBER 28, 1995 PUBLIC MEETING - VOLUME 2

1 MR. BRELSFORD: ...would be the next unit in
2 your area.
3
4 CHAIRMAN EWAN: I believe I mentioned the one
5 that I...
6
7 MR. BRELSFORD: That's on page 61.
8
9 CHAIRMAN EWAN: I've heard -- you heard
10 already that the people of my area would like to hunt
11 in Unit 11. That's the only one that I've heard of.
12 I'm not personally advocating that but there's a group,
13 Copper River Native Association and some villages in
14 that area there have, I believe, been talking about
15 this. That's the only one I can think of. Fred, do
16 you have any comment on this?
17
18 MR. OSKOLKOFF: Oh, is it a particular
19 species?
20
21 MR. LOHSE: Caribou.
22
23 MR. OSKOLKOFF: I didn't hear that.
24
25 CHAIRMAN EWAN: Pardon?
26
27 MR. OSKOLKOFF: Is that a particular species
28 you were talking about?
29
30 CHAIRMAN EWAN: Caribou.
31
32 MR. OSKOLKOFF: Caribou.
33
34 CHAIRMAN EWAN: Caribou hunting. Yeah. And
35 we talked about that last year. Remember that we voted
36 that we recommend no hunting. Okay, we'll move on to
37 the next one. Unit 12 or...
38
39 MR. BRELSFORD: No, actually, Mr. Chairman,
40 Unit 13...
41
42 CHAIRMAN EWAN: 13.
43
44 MR. BRELSFORD: ...would be the next one
45 located in Southcentral Alaska.
46
47 CHAIRMAN EWAN: Yes, Lee.
48
49 MR. BASNAR: On this one it's redundant, but
50 on moose and the rural residents of Unit 13. And I
51 ~~don't know where the residents of Chickaloon get in~~

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1 here. That surprises me. I don't know where that came
2 from.

3
4 CHAIRMAN EWAN: That's where they met.

5
6 MR. MARSHALL: You know, perhaps I can explain
7 what happened there. We got a letter last year from
8 the Chickaloon community pointing out that their
9 community sits astride a unit boundary between 11 and
10 13. And that the people on the east side of the river
11 had C&T uses in Unit 13 while the -- or in Unit 11
12 while the people on the west side did not, and
13 questioned the logic of that. And we agreed with them
14 that the C&T is a community-based process and there was
15 no intention to do that. So administratively the
16 board, last year, included all the residents of
17 Ninilchik as far as...

18
19 MR. LOHSE: Chickaloon.

20
21 MR. MARSHALL: Chickaloon. Once you get an
22 issue in your mind it stays there. All the residents
23 of Chickaloon now have C&T for Unit 11.

24
25 MR. LOHSE: And 13.

26
27 MR. MARSHALL: 14 -- yeah, I'm sorry.

28
29 CHAIRMAN EWAN: 13.

30
31 MR. MARSHALL: Yeah, I'm getting my units
32 mixed up.

33
34 CHAIRMAN EWAN: Okay.

35
36 MR. MARSHALL: But I think you get the picture
37 there.

38
39 CHAIRMAN EWAN: Okay.

40
41 MR. BASNAR: Okay, well, thank you.

42
43 MR. MARSHALL: It was an artificial situation
44 created by the unit boundary.

45
46 MR. BASNER: I'm glad it's cleared up. That's
47 good.

48
49 MR. MARSHALL: Yeah. Yeah.

50
51 ~~MR. BASNAR: And but again, we need to~~

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1 clear up this Milepost 216 to 239 issue which is listed
2 in here. Like I say, it's redundant, but since we're
3 going through this, I'll mention it again.
4

5 CHAIRMAN EWAN: Do you want to talk about it?
6 To remind me of what...
7

8 MR. BASNAR: Yeah, if you need some more
9 reminder, okay. Yeah. These people between these two
10 mileposts on the Denali -- on the Parks Highway have
11 been denied C&T use. They were found to be rural but
12 didn't have C&T when, in fact, they've lived there and
13 hunted there for years and years. Denali National Park
14 expanded, took in their hunting territory. Denali Park
15 withdrew their permits and so they were not permitted
16 to hunt because they weren't found to have C&T use.
17 And this needs to be moved up on the priority to number
18 one as far as I'm concerned.
19

20 CHAIRMAN EWAN: Hollis, you have a comment?
21

22 MR. TWITCHELL: I'd like to explain that Mile
23 216 to 239 along the Parks Highway is in Unit 20C
24 outside of Unit 13. And it involves a group of people
25 of about 12 individuals who had subsistence use permits
26 from the park in the '80s. In 1988 the Department of
27 Fish and Game passed a negative C&T determination for
28 that area, 216 to 239, prohibiting the use of moose and
29 caribou, saying they did not have subsistence use of
30 those species. With the passage of that C&T deter-
31 mination, their permits became questionable since
32 that's primarily what they were subsisting, moose and
33 caribou. So it involves a road quartered area in Unit
34 20C for the use of moose and caribou in Unit 20C.
35 That's an issue.
36

37 And the other issue is the fact that several
38 of these individuals have traveled to the south into
39 Unit 13 and had engaged in both moose and caribou
40 hunting in Unit 13 as well as 20C. So the question has
41 come up and several proposals have been made to
42 question and appeal that existing C&T determination to
43 not only re-authorize their use of moose and caribou in
44 20C, but to also include their use in Unit 13 as well.
45 So that's why the issue comes before this council.
46

47 CHAIRMAN EWAN: All right. What were you
48 recommending, Lee, that we do?
49

50 MR. BASNAR: I'm recommending once again that
51 this be moved up to top priority.

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1
2 CHAIRMAN EWAN: To include them in this...
3
4 MR. BASNAR: To find favorably that they have
5 C&T use of moose and caribou in 13.
6
7 CHAIRMAN EWAN: All right. Okay. Any other
8 item in Unit 13? I don't have anything. So we'll move
9 on then.
10
11 MR. BRELSFORD: Unit 14 would be next.
12
13 CHAIRMAN EWAN: 14. All right. Any comments
14 on Unit 14?
15
16 MR. OSKOLKOFF: I think we have to take into
17 account, Mr. Chairman, the discussion regarding
18 Chickaloon and also perhaps the -- I would like to have
19 a discussion regarding the other tribes within the area
20 that is connecting Eklutna -- Knik is located in
21 Wasilla, their offices are. But they're from the
22 surrounding area and I think it might be wise to
23 combine that for brevity's sake, with the discussion
24 regarding Chickaloon and its problems with being
25 basically on the border. I think we can, kind of,
26 interlace those two discussions. At the same time, I
27 don't know if that's helpful for the staff to...
28
29 MR. BRELSFORD: I think we might need
30 something, Gary, more specific in the way of a proposal
31 before we could proceed on it. Something along the
32 lines of, for the community of, the following species
33 are customarily and traditionally used.
34
35 MR. OSKOLKOFF: What I'll do then is ask those
36 groups, since they've asked me, regarding process and
37 they're feeling a little left out, if they would put
38 forth a proposal by the October deadline.
39
40 MR. BRELSFORD: And I think you realize those
41 are going to be rural determinations. Those are
42 questions of rural determination rather than C&T alone.
43
44 MR. OSKOLKOFF: Yeah.
45
46 CHAIRMAN EWAN: For...
47
48 MR. BRELSFORD: For Chickaloon -- pardon me,
49 for Knik and Eklutna. Quite a large area from
50 Anchorage north is non-rural. The Mat-Su Valley on
51 both of the tribal communities that Gary refers to are

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1 located in non-rural areas.

2
3 CHAIRMAN EWAN: Okay. No comments on the
4 season and bag limits for this unit? If not, is that
5 it then? Are there more?

6
7 MR. BRELSFORD: For Unit 14, we would have
8 Unit 15. Although it's the one we -- you've discussed
9 it previously so there may be no further discussion
10 needed. And then finally Unit -- let me just take a
11 second to be sure that nobody has anything on Unit 15.
12 The west side of the Kenai Peninsula.

13
14 MR. OSKOLKOFF: Nothing beyond what was just
15 testified about.

16
17 MR. BRELSFORD: Beyond what we've already
18 said. Then Unit 16 would be the last of these for the
19 Southcentral region.

20
21 CHAIRMAN EWAN: Unit 16. Ralph.

22
23 MR. LOHSE: Taylor, you know, it really would
24 be helpful if -- I know they've got the -- they've got
25 the definitions at the start and I know that's a
26 typical government way of doing things so that you have
27 to remember the definition all of the time when you
28 look at -- but it would sure be a lot easier -- like
29 when it said "Coyote," instead of saying "No deter-
30 mination," you could say "No determination" on there
31 but you should say "All rural residents" so that we
32 understood what it meant. And when it says, "No
33 subsistence," we should just say -- it doesn't say --
34 it doesn't really mean no subsistence, it means no
35 subsistence priority. And there is a difference, you
36 know. And I, myself, would like these to be more
37 clear, rather than use code, say what you mean. No
38 determination means all Alaska rural residents. No
39 subsistence means no subsistence priority. It doesn't
40 mean there's no subsistence on the animal. It means
41 that it has no priority. Just simply because there can
42 be some mix-up the way things are written right now, at
43 least in understanding. I think the average person
44 that doesn't, you know, -- if you don't happen to read
45 the little paragraph ahead of time and you just happen
46 to look at the regulations, it doesn't mean anything to
47 you. No determination. What does it mean, you know.

48
49 MR. BRELSFORD: I think that's a very helpful
50 suggestion on clarity ...
51

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1 MR. MARSHALL: It is a very good suggestion.
2 We probably explain that to the public more than --
3 that call in -- more than any other single ...
4

5 MR. LOHSE: Yeah.
6

7 MR. MARSHALL: ...single item.
8

9 MR. BASNAR: Good point, Ralph.
10

11 CHAIRMAN EWAN: No comments on Unit 16? I
12 guess then we're done. Okay.
13

14 MR. LOHSE: Break time.
15

16 CHAIRMAN EWAN: What time is it?
17

18 MR. LOHSE: 25 'till 11:00
19

20 MR. BASNAR: 11:30 -- 25 'till 12:00.
21

22 CHAIRMAN EWAN: Do you want to go until 12:00,
23 I guess. What's our next item?
24

25 MR. BRELSFORD: I see that the next item Helga
26 had laid out was to actually go back to the backlog.
27 It says, council action, prioritizing the backlog of
28 C&T proposals. That would sort of take us -- that
29 would conclude this whole area.
30

31 MR. OSKOLKOFF: I thought we just did that.
32

33 MR. BASNAR: Didn't we just do that?
34

35 CHAIRMAN EWAN: I thought we deferred that?
36

37 MR. LOHSE: We didn't defer it.
38

39 MR. BRELSFORD: Well, the point was raised
40 this morning that you might want a little more time to
41 look through that before we enter into a discussion of
42 it.
43

44 CHAIRMAN EWAN: Okay. Yes, Ralph.
45

46 MR. LOHSE: I was under the impression from --
47 now maybe I'm wrong, but I was under the impression
48 that what could be done is after we identified what the
49 priorities are in our areas and in the units and sub-
50 units, that staff could then take a look at these and
51 see which of these fit priority. I must have been

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1 was I wrong on that? We still want to go through these
2 on an individual basis and toss out or stick in?
3

4 MS. MASON: My view is that it would not be a
5 real efficient use of the council's time to go through
6 this whole list one by one. I believe that we have
7 enough guidance from what you guys told us about the
8 important issue, plus the proposals that will come in.

9 We will be able to look at both of those and make a
10 rough priority list. Yeah, we will be able to say,
11 which are the ones that you think are the most
12 important to deal with now. And I think that's the cut
13 we need to make. So in answer to your question, I
14 don't think it's necessary to go through those.
15

16 MR. LOHSE: Unless we want to.
17

18 CHAIRMAN EWAN: All right. What do we want to
19 do here?
20

21 MR. LOHSE: Mr. Chairman, I would suggest that
22 over our break, as individual council members, we look
23 through this list. Just because these have been
24 submitted by people. And if we see one or two or if we
25 see something that we feel needs to be brought up to
26 the council, that we bring them back as individual
27 council members instead of going through the list one
28 by one and does anybody have any comment on this one,
29 does anybody have any comment on that one. And that
30 way if you see one that fits into your priorities or
31 you see one that needs addressed and brought up this
32 year, we can at least bring it forward so that it gets
33 on this year's -- this year's packet. And because
34 there might be something in here that doesn't fit, what
35 we've already prioritized but that we recognize as an
36 issue that should be dealt with and so we can bring it
37 forward. But we don't need to do that, I don't think,
38 as a group. We can do that individually and then you
39 can ask for a time when we bring them forward.
40

41 MR. BRELSFORD: At 1 o'clock, for example. If
42 we broke a little early now? Or would that be too
43 quick?
44

45 MR. LOHSE: That's up to the Chairman. We
46 could do it at the end of the meeting even. I mean, I
47 have no comment on how long we need to look at them
48 but...
49

50 CHAIRMAN EWAN: Probably over lunch.
51

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1 MR. LOHSE: Yeah, I mean, if we broke now, we
2 could all just sit here for 20 minutes and look at them
3 and scan through them, then we'd have an idea, you
4 know.
5
6 CHAIRMAN EWAN: Any objection to doing that?
7 All right, let's do that. We'll break for lunch after
8 that. I guess right now is a break for lunch, right?
9
10 MR. BRELSFORD: So we would recess now and
11 reconvene at 1 o'clock. Is that your intention, Mr.
12 Chairman?
13
14 MR. LOHSE: Then we could spend a little time
15 looking at this and taking it to our lunch breaks with
16 us.
17
18 CHAIRMAN EWAN: Okay. Recess until 1 o'clock.
19 (5557)
20
21 (Off record - 11:40 a.m.)
22 (On record - 1:10 p.m.)
23
24 (Tape: 310-1844)
25 (0040)
26
27 CHAIRMAN EWAN: I'll call the meeting back to
28 order. Before we left we decided to review the
29 deferred proposals that we had in our packets, to
30 review them over lunch, and if you have the proposals
31 are open for comment right now. Do you have comment,
32 Lee?
33
34 MR. BASNAR: Yes, Mr. Chairman, I'd like to
35 call upon Hollis Twitchell again from the Denali
36 National Park to get a little background on why -- I
37 wanted to prioritize the proposal. I guess the code
38 number is CO-48 and CO-49, if Dick is keeping score
39 there. And Hollis would, kind of, give us a little
40 background on the length, duration and the focus on
41 this proposal.
42
43 MR. TWITCHELL: I mentioned earlier that these
44 individuals in the area of 216 to 239 had subsistence
45 use permits from the park issued in 1980, right after
46 ANILCA. So they were reviewed and authorized as
47 subsistence users on park lands. They continued to use
48 the resource up until 1988 when a negative C&T
49 determination was made on moose and caribou for them to
50 use moose in 20C. They subsequently have appealed
51 that, first to the State Board of Fish and Game and

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1 then secondarily to the Federal Subsistence Board. And
 2 so this appeal has been pending for a number of years.
 3 The Denali Subsistence Resource Commission has gone on
 4 record in writing both to the State and to the Federal
 5 Subsistence Board, asking both of those bodies to
 6 review the C&T at the earliest possible time. Denali
 7 National Park has gone on record in supporting this
 8 appeal and we stand on the original determination that
 9 these individuals had a customary and traditional
 10 practice of using moose and caribou from Denali Park
 11 lands. The Eastern Interior Regional Advisory Council
 12 has listened to Pat and the other individuals and they
 13 have gone on record in the letter to the Federal
 14 Subsistence Board about three years ago, urging the
 15 board to move the review of this C&T up to the earliest
 16 possible date. So formally, those bodies are all
 17 interested in having this reviewed again. That's as
 18 much as I wanted to say. If there was any further
 19 questions, I'll try to answer those.

20
 21 CHAIRMAN EWAN: You did -- Hollis, you did
 22 mention that this area here is in Unit 20?

23
 24 MR. TWITCHELL: That is correct.

25
 26 CHAIRMAN EWAN: And is it in the eastern
 27 boundary? Eastern region?

28
 29 MR. TWITCHELL: That's correct.

30
 31 MR. BASNAR: To clarify that a little more,
 32 Mr. Chairman, these people live in Unit 20 but
 33 customarily and traditionally hunted in both 20 and 13.

34
 35 CHAIRMAN EWAN: That is not what my question
 36 was. I just wanted to know where they -- what area
 37 they were.

38
 39 MR. BASNAR: Where they were.

40
 41 CHAIRMAN EWAN: Yeah.

42
 43 CHAIRMAN EWAN: Okay.

44
 45 MR. TWITCHELL: That is correct. Mile 216
 46 starts just across the Nenana River, which is the
 47 boundary between Unit 13 and Unit 20A. And so these
 48 individuals actually reside in Unit 20A, along the
 49 rural quarter area. And it's true, as Lee was saying,
 50 that these individuals, several of them anyhow, have
 51 utilized the areas in Unit 13E as well for caribou and

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1 moose. And one individual used the south side for bear
2 as well.
3
4 CHAIRMAN EWAN: Did you want to take any
5 specific action on this proposal or...
6
7 MR. BASNAR: Mr. Chairman, this council in the
8 past wrote a letter requesting that this be made a top
9 priority. And I just think that -- I think we've done
10 all we need to do. I don't think another letter is
11 going to do anything. But I sure hope somebody is
12 listening and moves this up on the priority list.
13
14 CHAIRMAN EWAN: Okay. Any other proposal that
15 you want to talk about at this time? I guess none. So
16 we'll just -- we're done with the proposals here on the
17 list.
18
19 MR. MARSHALL: Could I clarify, Lee, that
20 you're not making a proposal at this time?
21
22 MR. BASNAR: I am not.
23
24 MR. MARSHALL: Nor is the council.
25
26 MR. BASNAR: I'm just reiterating that...
27
28 MR. MARSHALL: Fine. Thank you.
29
30 MR. BASNAR: ...we want this high priority.
31
32 CHAIRMAN EWAN: I think he said that we
33 already took action and...
34
35 MR. MARSHALL: Yeah, just wanted to make sure.
36
37 CHAIRMAN EWAN: All right. What's next then?
38
39 MR. BRELSFORD: Well, I think we would now
40 turn to Item 8, and it says, announce that the floor
41 will be open to C&T proposals under agenda Item 9D.
42 That refers to a point later in the meeting where if
43 the council itself wants to put forward proposals,
44 those would be appropriate. I'm on page 2 of the
45 agenda, just following the lunch hour. That's, I
46 think, just a point of information rather than an
47 action item. And then the final item under this topic
48 would be number 9, any other C&T concerns.
49
50 CHAIRMAN EWAN: Okay, could you explain this
51 ~~this one here that you just mentioned? What that~~

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1 is? The 9D?
2
3 MR. BRELSFORD: Well, I'll confess to you, as
4 I read the agenda, Item 9D would come up Friday morning
5 and 9 is New Business. As you go down to 9D, it says
6 the workshop on wildlife conservation management. I'm
7 not sure why. I think that maybe...
8
9 MS. MASON: Taylor, isn't 9D on that same page
10 -- is -- any other Old Business? It's just three items
11 down from where...
12
13 MR. LOHSE: No, 9 is New Business.
14
15 MR. BRELSFORD: I thought that would have been
16 8D but...
17
18 CHAIRMAN EWAN: So, all we want to do is any
19 other -- announce if there's any new business on C&T
20 proposals? That's all we want to do?
21
22 MR. LOHSE: Yeah.
23
24 CHAIRMAN EWAN: Okay, that's been done. If
25 anybody here wants to -- council members want to make
26 any other proposals?
27
28 MR. BRELSFORD: Mr. Chairman, I thought it
29 might be useful to read -- to advise the council again
30 that a specific C&T proposal was submitted last night,
31 for your information, from the Kenai Peninsula Outdoor
32 Coalition. And I'm not sure that there were enough
33 copies for everybody to have one. So just for your
34 information, I could read the proposed change. And
35 that is, "to remove customary and traditional use
36 determinations on all fish and game species for all
37 Kenai Peninsula communities except Nanwalek and Port
38 Graham. Customary and traditional use determinations
39 for Nanwalek and Port Graham should be limited to black
40 bear, moose and mountain goats." So this would go
41 forward for public review and in February, it would
42 come back before you with some staff work for your
43 final recommendation. But it's in the hopper as of
44 last night.
45
46 CHAIRMAN EWAN: Okay. So since there's
47 nothing else on 9D, which is any other Old Business on
48 C&T proposals, we'll go on to then, 9?
49
50 MR. BRELSFORD: Actually, we would be on this
51 Item B, scheduled for 2:15. The item reads, an update

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1 on the moose hunt in Unit 15 and discussion of the role
2 of wildlife biologists requested by Mr. Ewan and Mr.
3 Oskolkoff. What I would propose, Mr. Chairman, is
4 perhaps you could clarify for us the topic, the
5 interest. And Dick Marshall was prepared to respond or
6 provide any information that you might have in mind.
7

8 CHAIRMAN EWAN: Okay. This really was -- my
9 intent was really for the Federal Subsistence Board or
10 staff to answer my question about what -- where do we
11 as a council come in -- where does our role come in?
12 There's a biologist role; there's a council role, and
13 the federal subsistence considers these proposals from
14 the council and gets comments from the biologists.
15 From what I've seen in the past, maybe two proposals
16 that we made to the Federal Subsistence Board, they
17 took the recommendation of the game biologist and, kind
18 of, went against our proposal. So I'm wondering why
19 are we in the process -- the way they don't listen to
20 our proposals and, you know, go with the biologists.
21 Why don't you just have the biologists make the
22 recommendations to the Federal Subsistence Board and
23 then forget about our role here? That was my question.
24

25 MR. MARSHALL: Mr. Chair, I'll try to address
26 this issue. And I'd like to expand your -- the issue,
27 if you don't mind, to include not only the biologist
28 with regional responsibility, but the anthropologist
29 and the coordinator as well because what we have done
30 with our staff is to give all our biologists, anthro-
31 pologists and coordinators a regional responsibility to
32 address issues and also to support the councils in that
33 area. So they had a dual role. They are here to
34 assist you in interpretation of information, providing
35 information to you, helping you draft your documents.
36 But they also have another responsibility, and that is
37 for every proposal or request for reconsideration or
38 special action, we prepare a staff analysis of that
39 issue. That analysis is independent from the council's
40 recommendation and independent from the ADF&G position.
41 They look at the information, distill it, discuss it
42 within the team and come up with a conclusion based on
43 their analysis. That conclusion does not necessarily
44 support either side.
45

46 It may, when they reach their conclusions, it
47 may indeed support ADF&G's position. It may support
48 the council's position and it may take an entirely new
49 position. That is not couched in the term of a
50 recommendation but rather a conclusion. That staff
51 analysis then goes to the interagency staff committee

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1 as a staff analysis. They look at it. If they agree
2 with the conclusions reached in that staff analysis,
3 they, kind of, wordsmith that conclusion and turn it
4 into a staff committee recommendation that goes to the
5 board. The board then is faced with the -- with
6 several perspectives on an issue. They're faced with
7 this independent staff analysis, looking at the infor-
8 mation that's available, but they also at that time,
9 take into consideration the council's position on that.
10 And they'll have to weigh -- that's what they're paid
11 to do. They're paid to sort out this information.
12

13 CHAIRMAN EWAN: Okay. I think I understand
14 the process fairly well and I think the council members
15 understand what you're saying. My concern is when
16 you're weighing, it seems like to me like you're going
17 in -- you weigh the biologist's position over
18 council's. I'm talking about the Federal Subsistence
19 Board's decisions. We made several recommendations
20 that were turned around because of what I heard the
21 biologist recommend. And that's usually the way the
22 Federal Subsistence Board decided. I'm just very
23 concerned as a council member that I'm just spinning my
24 wheels here. I can recommend a number of things but
25 it's always the biologist that has the final say.
26

27 MR. MARSHALL: You know, I guess I would tend
28 to almost take an opposite position. Having been with
29 the program prior to the council's coming on board and
30 becoming the effective voice they are that I have seen,
31 you know, in the last two years, more deference to the
32 council position than I had anticipated.
33

34 CHAIRMAN EWAN: All right. Yeah, I think
35 you...
36

37 MR. MARSHALL: Roy, I'm talking statewide.
38 Not necessarily looking at the situation on the Kenai,
39 whether -- whether -- what the track record is. But I
40 know just in general, the councils have had an
41 astounding -- been an astounding factor in how the
42 board has ...
43

44 CHAIRMAN EWAN: I wanted you to hear what my
45 concern was and that's basically why I wanted this on
46 the agenda. I feel like I don't want to start
47 discussing on any proposal that the biologists may be
48 against. We should stop right there and let the
49 biologist make their presentation to the Federal
50 Subsistence Board. I mean, this process of going
51 through a day, half a day of meeting and then being

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1 overturned by the Federal Subsistence Board is very
2 discouraging. I don't know. I just want to make that
3 point. I think Gary wanted to make that point. I
4 understand the role is very important of the biologist
5 but we're here for a role also.
6

7 MR. MARSHALL: And I would like to stress
8 again though Mr. Chair, that -- you know, that it isn't
9 just the biologist that puts the staff analysis
10 together and reach a conclusion. You know, sometimes
11 there is disagreement within that regional team, you
12 know, as to what the conclusions should be. And when
13 that occurs, we often express that in the conclusion
14 that there is uncertainty within the team on how to
15 proceed. It's the staff committee's job then to take
16 those disparate points of view, and for the purposes of
17 the staff analysis, come up with a recommendation.
18 But, you know, I do believe that the board has listened
19 to the councils. Maybe not in all cases but -- but I
20 don't think we could be where we are now without you.
21 That's my own -- my own feeling.
22

23 CHAIRMAN EWAN: I think I had my say. Anybody
24 else want to comment on this? Yes, Lee.
25

26 MR. JOHN: I feel -- Mr. Chairman, I feel the
27 same about what Roy said. I felt like that there was a
28 -- what we brought up and then what the biologist
29 brought up was completely different than what I heard
30 here and what I heard over there at the board meeting.
31 And I felt like we were just spinning our wheels. I
32 didn't like it. Another thing I didn't like was a
33 personal attack on a -- on a -- on one of our board
34 member here. I don't -- I think that was uncalled for
35 and I didn't think that was even...
36

37 MR. MARSHALL: I think there was an apology
38 given for that, you know and, I understand your
39 concern. You know, some of -- this is a pretty intense
40 situation. I know you probably think about it outside
41 the council meetings but we deal with this in-house
42 five days a week. And it gets pretty intense, really,
43 within our own -- within our agency. So we apologize
44 when those things happen. I agree with you, they
45 shouldn't happen. But I think in that case, we got an
46 immediate apology on it and I hope we can forget that
47 one.
48

49 CHAIRMAN EWAN: Yeah, Lee had his hand up
50 here. Go ahead, Lee.
51

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1 MR. BASNAR: Mr. Chairman, I'd hate terribly
2 to have to make decisions, myself, without having
3 biological input. I'm very concerned about the
4 resource. And without input on the biological impact
5 of some of the suggestions from each one of the
6 members, I'd have a very difficult time to reach any
7 kind of a conclusion. And I think that most all of us
8 would agree. We need that biological input. Now we
9 may be experts in our own field, but I think our field
10 is very narrow. It may extend a couple miles around
11 our house or whatever.

12
13 But nevertheless, we need the input. That
14 doesn't mean that we have to abide by the input. I
15 want the input from the biologist. I, in most cases, I
16 probably will defer to their expertise because these
17 people have degrees in biology and years of experience
18 in earning their living doing just that whereas I don't
19 have a degree in biology. When our recommendations go
20 forward, the council recommendation may not necessarily
21 be my individual feeling. Maybe I voted in opposition
22 and I was not on the side that prevailed. That doesn't
23 make me a bad guy or it doesn't make the people that
24 gave me advice that I relied on a bad person. I think
25 we all have to realize that we come to this table from
26 all different walks of life, all different experiences
27 in the wildlife situation. And I think the biologist
28 gives us some input upon which to base some good
29 rational decision.

30
31 When it gets to the board, the board is in the
32 same situation as we are here. For example, maybe Fred
33 makes a proposal and I'm not sure if I like his
34 proposal, so we call upon a biologist. Well, then it's
35 up to Fred and I to decide whether we want to believe
36 the biologist or not. We find the board in the same
37 situation. It's a judgment call. Anytime you have a
38 judgment call, some people are on the wrong side of the
39 judgment and aren't happy. I'm not happy with all of
40 the board decisions either. But I do feel that the
41 biologists provide a valuable input.

42
43 CHAIRMAN EWAN: I don't think anybody's
44 disputing that. They have a role. I said that. But
45 if they are going to be the deciding factor that the
46 board's going to make their determination on, then why
47 are we going through the process of discussing
48 proposals and making proposals and so on. That's what
49 I'm saying. Yeah. Ralph?

50
51 MR. LOHSE: I see what you're saying there,

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1 Roy, that if there's a biological interdiction to start
2 off with, tell us so that we don't have to go through
3 the whole thing. I can understand that -- you know, I
4 don't like to use the word veto but, there's a possi-
5 bility anytime that you deal with people, myself
6 included, and our interests that get in the way, that
7 we -- that we might not look at the biological aspects
8 as much as we'd look at the user aspects. And there's
9 times that we might recommend something that is not
10 biologically well for whatever species that we're
11 dealing with. If I remember right from reading it,
12 that is the top priority. The basic protection of the
13 game ends up being the top priority. So if we do make
14 a -- if we do make something that looks like it cannot
15 be held up biologically, that's basically going to be a
16 veto. But I'm like Roy, if you see us proceeding in
17 that line to start off with, tell that this isn't going
18 to biologically fly so we don't continue to waste our
19 time and come up with a proposal and everything that in
20 the end doesn't work because it can't work.

21
22 MR. MARSHALL: We'll try to do that. It's a
23 little touchy because we're not decision makers.

24
25 MR. LOHSE: Yeah.

26
27 MR. MARSHALL: You know, what I understand --
28 what your saying. And you're right. If you talk about
29 anything like a veto -- and it isn't really a veto --
30 but the board is going to first look at maintaining
31 healthy populations. And if that -- if that is placed
32 at risk, it's pretty obvious which way they're going to
33 go. And we will go out of our way to do that, but
34 again, we'd have to it with the caveat that we're not
35 decision makers and this would only be on a
36 recommendation to the board.

37
38 One thing I might -- ought to point out, and
39 that is, in the normal flow of proposals, when we are
40 doing our staff analysis, we do not yet know what the
41 position of the council is going to be on that, unless
42 it's a council recommenda- -- you know,...

43
44 MR. LOHSE: Council proposal.

45
46 MR. MARSHALL: ...a council proposal. We
47 don't know. And when we first developed a regional
48 team approach to this, the coordinators were a little
49 alarmed at the beginning. They're part of the process,
50 part of the team. And they thought they were being
51 called upon to bring the council position into play

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1 during the analysis. And they said, "We can't do that.
 2 We haven't heard from the councils yet." And we
 3 assured them that that was not their role. Their role
 4 in that case was more or less to bring traditional
 5 local knowledge, whatever it may be. The anthropo-
 6 logists normally -- not always -- but normally base
 7 much of their analysis on the printed record, on
 8 subsistence studies and harvest ticket information.
 9 And stop me if I'm wrong here. If they're aware of
 10 local traditional knowledge, they would bring it into
 11 play. But the coordinators bring our -- the primary
 12 source during that -- during that period of time when
 13 we're doing the analysis and we don't yet have a
 14 council recommendation, the coordinators bring that
 15 traditional knowledge into it.

16
 17 But I hear what you're saying about, you know,
 18 not letting -- I shouldn't say not letting it --
 19 advising the council if what they're proposing, in the
 20 opinion of the biologist, wouldn't fly because it might
 21 risk the maintenance of healthy populations.

22
 23 CHAIRMAN EWAN: Any comments, Gary, on this?

24
 25 MR. OSKOLKOFF: On what?

26
 27 CHAIRMAN EWAN: On this. We're talking about
 28 the...

29
 30 MR. LOHSE: Role of the biologist.

31
 32 CHAIRMAN EWAN: Where are we at here?

33
 34 MR. BRELSFORD: The 215.

35
 36 MR. MARSHALL: Role of a biologist.

37
 38 MR. OSKOLKOFF: Maybe you could give me a
 39 quick synopsis of what's been covered so far so I don't
 40 go over old ground here.

41
 42 CHAIRMAN EWAN: I just said that I felt very
 43 bad about some of the past decisions that were made by
 44 the board based on recommendation of the biologists,
 45 and, kind of, turned around the council's recommenda-
 46 tion. And I just didn't like the outcome. If we
 47 recommended something, I mean, it seems to me like --
 48 is why we're here. But it's usually the game biologist
 49 that's listened to last, I guess, and that deter-
 50 mination is pretty much based on what they determined
 51 to be the best.

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1
2 MR. OSKOLKOFF: Thank you, Mr. Chairman. With
3 regard to that, I have a variety of concerns. The
4 first of which, and probably the most prominent in my
5 mind when I look back on how it was discussed with the
6 board with regard to the biological impact on the
7 species, as far as moose goes. First of all there was
8 speculation beyond the facts. That is, in my opinion,
9 with my background in statistical analysis, there are
10 only certain bits of information one can derive from
11 previously given facts. And it can only be as accurate
12 as those facts that were given. You can only speculate
13 just so far before you start getting out into the
14 neighborhood of just random guessing. And to the point
15 where you're really -- although you're starting with
16 fact, you're in the world of speculation that is not
17 substantially based on those facts. And I believe
18 that's where we got at several of the board meetings.
19 I found that most unfortunate.
20

21 I think the dire predictions that were made
22 greatly influenced the board's decision. I believe
23 that those predictions did not prove true. They didn't
24 even prove close to true. In fact, they were 180
25 degrees off the mark. This leads me to a very serious
26 problem with regard to this council and how we can
27 operate. That is, if we are not able to depend on the
28 information given to us with regard to speculation on
29 how our changes in policy or regulation is going to
30 effect -- really -- on the ground, it's going to be
31 very difficult for us to do so. And in my mind, I now
32 have to discount nearly every prediction that is going
33 to be given to me for quite a while to come until I
34 start to see a track record which is substantially
35 improved from the one I just recently saw.
36

37 Now there's two different routes one can go on
38 that and only two different routes. One is that the
39 information or the way it was handled, for whatever
40 reason, was faulty. The other is, is that there was a
41 direction in which people wanted to head and they
42 attained that. I don't know which happened and I don't
43 really want to go back and speculate on that. I don't
44 have enough facts for that. But it makes it very
45 difficult in the future to depend on the science that
46 we have to depend on here in order to make these
47 decisions.
48

49 The second thing that unnerved me, is that
50 with regard to the moose hunt in particular, where
51 ~~subsistence users are supposed to have the priority,~~

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1 what we had was an adding of the subsistence harvest
2 that may occur on top of the state harvest, on top of
3 the sport harvest, on top of road kill, on top of those
4 taken out by trains. Essentially, we were the last in
5 line, when you really get down to it, in how this was
6 perceived. When it's put that way, of course there's
7 no moose left at the end of the line, once you take off
8 those counts at the top. And I could really understand
9 where if you did it that way, and it was done that way
10 and the records will bear me out on that -- it was done
11 over and over again that way -- that you can't add a
12 significant number to the end. You have to put the
13 significant number near as you can to the beginning.
14 Now we're not going to stop, probably, the train kills
15 or the road kills, the incidental take and the bad
16 winters, but once calculating those in, if we're going
17 to give a true priority to subsistence user, that's
18 where it should be on the priority basis.

19
20 And then we should be asking about the other
21 seasons, questioning them once we have satisfied the
22 subsistence user. But all this was not done. We ran
23 ourselves around in various other directions. And what
24 the problem is with doing that is you don't get a true
25 picture. The people don't get a true picture. The
26 council members don't get a true picture. The board
27 didn't get anything near a true picture. And of
28 course, you can't have a real decision. And what are
29 we doing? We're taking these things and putting them
30 further and further down the track -- these decisions.
31 Because we don't have the real information. We don't
32 have it yet. The board's putting it further down the
33 line. And who's suffering for all this? The
34 subsistence user who technically got one moose this
35 year -- less than one percent of those that asked for a
36 harvest ticket. And I don't think that's the best
37 approach and I would hope that we could develop a
38 system, based on biological science, that would address
39 those problems. We could develop a tight working
40 relationship in which we could get the information
41 before we have to make a decision and be able to ask
42 those questions and ask for surveys or reports or what
43 have you to actually be conducted to derive that
44 information before we have to make these decisions.
45 Otherwise, what we're going to be doing is constantly
46 pushing these things further back on every meeting.
47 And it's really my concern that we're not going to get
48 very far and there's probably many who hope that we
49 don't. But I would just as soon like to get this
50 little portion of my life over with and get on to real
51 business.

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1
2 CHAIRMAN EWAN: Thank you, Gary. I would -- I
3 think you brought up a good point and that is, it seems
4 like when the biologists are giving recommendations to
5 the Federal Subsistence Board, subsistence people get
6 the last, I guess, consideration. The big consider-
7 ation is what's everybody gonna' take this year? 700
8 moose? That's the limit. We shouldn't get any more.
9 I guess Gary's point is that the subsistence -- if we
10 need 15 moose for subsistence, they should be in the
11 700, not in addition to it. Let the others suffer, you
12 know. That's the intent, I think, of ANILCA. To give
13 those people that need moose or caribou or whatever
14 that opportunity and get some meat on the table. That
15 really -- it's something that we -- I think the board
16 ought to just talk about a little bit.
17

18 MR. MARSHALL: Well, I know the purpose of the
19 agenda item is to hear your concerns and I've heard
20 them. But, you know, I think I would be remiss for the
21 record if I didn't -- if I didn't go back and just
22 briefly address a couple of the points that Gary made.
23 You know, I don't want turn this into debate, that
24 isn't the purpose of it. But yes, we are asked at
25 times to go beyond what the data -- the data says. And
26 Gary used the word speculation and we prefer to use the
27 best term that we've been asked to give our best
28 professional judgment on situations beyond what the
29 data tells us. But I, you know, I understand your
30 concern. On the predictions, you know, I think most of
31 the predictions of effort had to do with any bull
32 season. And we didn't see that so we don't know what
33 would have come of that. But yes, you're right, we did
34 expect a greater harvest to occur than did occur.
35 Heck, it took us by surprise. I didn't think we'd take
36 a lot of moose but I don't think anybody expected that
37 only one moose would be taken.
38

39 With respect to the priority, about being last
40 on line, I guess we thought that the, you know,
41 providing a 10-day head start on the spike-fork 50 in
42 15A and B was not last on line. And giving the first
43 14 days to the Skilak Loop hunt was not being last on
44 line. But yes, you're right. We do look at cumulative
45 harvests when we look at the information. Road kills;
46 railroad kills; non-subsistence use -- you know, you're
47 right there, that is all factored in. And I don't want
48 to get into debate, that isn't the purpose of, you
49 know, of what we're doing here. But I hear your
50 concerns.
51

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1 The regional teams have a tough job. They're
2 here to serve you and to help you formulate your
3 proposals, help you to consolidate and summarize
4 biological information. But then they have this other
5 role: to produce these independent analyses. And it's
6 a tough position we put them in. I hope, Mr. Chair,
7 you'll take my own personal feelings, having been in
8 this program for five years and seeing how we began and
9 seeing where we are now. And these councils have made
10 a terrific difference. And it's to all your credit
11 that we have that difference so I would encourage you
12 not to be discouraged.

13
14 CHAIRMAN EWAN: Okay, well I...

15
16 MR. MARSHALL: And there is, Mr. Chair, an
17 executive session going to be planned for the board in
18 November. I think it's 16th and 17th. And you'll be
19 getting more information on that, for the chairs or
20 their representatives to have an executive session with
21 the board to sort out a lot of the problems. We
22 haven't developed the agenda for that but I suggest
23 perhaps there will be an opportunity for you to either
24 format the agenda or certainly there will be an open
25 period for people to get anything that's on their mind
26 before the board.

27
28 CHAIRMAN EWAN: Okay. Thanks. Gary.

29
30 MR. OSKOLKOFF: Just one more concern -- and I
31 think this has to do with process but it also has to do
32 with the biologists and the staff and so I'll bring it
33 out -- is that, one of the great excuses the board's
34 used lately in denying the requests or the advice of
35 the advisory council is that they didn't have "all the
36 information. We're privy to new information. We had
37 another open meeting. People addressed it in a differ-
38 ent manner than we expected or what have you." I would
39 suggest that a process be worked out as soon as
40 possible and that the staff also try and help us out
41 with making sure that we have all the information so
42 that -- that can't happen again. I'm very disappointed
43 when I go to the meeting. Mr. Ewan and myself, in
44 particular, at the last couple of meetings, and after
45 all the work that this council has done, the staff has
46 done, and the people have bothered to testify, we craft
47 something -- we put something together and then at the
48 last minute that board says, "Well, geez, we got a
49 little more information and therefore we're going to
50 use that information" and I think wrongly, "to deny
51 such a request." And I would just keep that in mind

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1 for the staff and if that could be brought to the board
2 also in the executive session, I would appreciate it.

3
4 CHAIRMAN EWAN: Okay. Any further discussion
5 on this item? If not, well, thank you.

6
7 MR. MARSHALL: Thank you, Mr. Chair.

8
9 CHAIRMAN EWAN: We'll move on to another --
10 the next item -- C, residency issue.

11
12 MR. BRELSFORD: Yes, Mr. Chairman. To recall
13 the background on this. At the February meeting last
14 year in the Sheraton Hotel there was discussion of
15 residency and licenses as a part of the Federal
16 Subsistence Program. And the specific hitch was the
17 fact that the federal regulations require a subsistence
18 user to have a state of Alas- -- to have a state
19 license, but they do not specify that that state
20 license must be a resident fish and game license. And
21 so the question before all ten councils was whether the
22 federal program ought to require a resident Alaska
23 state license or not. As part of your discussion, you
24 left open a question or sought additional information
25 on the Permanent Fund -- the Alaska Permanent Fund
26 requirements. Helga had written this up and asked that
27 I provide you with three short points.

28
29 The requirements for the Alaska Permanent Fund
30 are first that the applicant must reside physically at
31 a place in Alaska for a full calendar year, December 31
32 to December 31. Secondly, must have no residency ties
33 to another state -- to a previous point of residency.
34 And third, the applicant must have the intent to remain
35 indefinitely in Alaska. So those are the three
36 criteria for residency that are used in the Alaska
37 Permanent Fund program.

38
39 I think the upshot is, we're still waiting for
40 this council to offer its advice on the residency
41 question for the Federal Subsistence Program. But this
42 was additional information or comparative information.

43
44 CHAIRMAN EWAN: All right. Ralph.

45
46 MR. LOHSE: Would you -- do you by any chance
47 have a comparison between what current state
48 regulations are for a resident hunting license? Is it
49 just 12 months residence?

50
51 MR. BRELSFORD: My understanding is it's one

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1 year. I don't know exactly how it's worded but perhaps
 2 somebody from ADF&G is here with us and speak to it?
 3

4 MR. SPRAKER: Yeah, the residency requirement
 5 is 12 months. You need to maintain a permanent home in
 6 Alaska, not have a voting registration outside of
 7 Alaska and so forth. But the main crux of Alaska
 8 residency is the 12-month period prior to purchasing
 9 your license.

10

11 CHAIRMAN EWAN: Yes, Ralph.

12

13 MR. LOHSE: One other question. Can --
 14 currently, can the military get a resident license
 15 without being here 12 months?
 16

17 MR. SPRAKER: Yes.

18

19 MR. LOHSE: So currently, that fact that you
 20 have a resident Alaska hunting license does not mean
 21 that you've resided in Alaska for 12 months.
 22

23 MR. ROMIG: It doesn't mean that you're going
 24 to stay here indefinitely.
 25

26 CHAIRMAN EWAN: Go ahead, Lee.

27

28 MR. LOHSE: Or that you're going to stay here
 29 indefinitely.
 30

31 MR. BASNAR: Ralph, the military thing as I
 32 understand it is they can hunt small game if they have
 33 been in Alaska less than a year but to get a big game
 34 resident license to hunt big game, they must have been
 35 in Alaska a complete year.
 36

37 CHAIRMAN EWAN: Anybody else have any
 38 information on that? Did we want to do anything on
 39 this? Just leave it as -- this is just for
 40 information, right?
 41

42 MR. BRELSFORD: It's an ongoing action item...

43

44 CHAIRMAN EWAN: Oh, it's an action item?
 45 Okay.

46

47 MR. BRELSFORD: ...not yet concluded. Yes,
 48 Ralph?

49

50 MR. LOHSE: Mr. Chair, we put this off last
 51 time because we wanted the information on the Permanent

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 SEPTEMBER 28, 1995 PUBLIC MEETING - VOLUME 2

1 Fund thing. I don't remember if I made a motion on it
2 last time or not. But to me, subsistence in the state
3 of Alaska -- how far we want to carry it we can discuss
4 that later on -- but I think it ought to, at least,
5 apply only to Alaska residents, myself. And I think
6 the requirement that a person either -- I mean, this is
7 the way we could do it because one of the things that
8 was brought up is that some people don't believe in
9 getting hunting licenses. But we could bring it -- we
10 could put it to the point where they would either have
11 to be qualified for Alaska Permanent Fund dividend or
12 be in possession of an Alaska resident hunting license.
13 That way somebody, for example, let's take one of my
14 boys who's under 16 and doesn't need a hunting license,
15 could still take subsistence because he's qualified to
16 get an Alaska Permanent Fund dividend. And that way,
17 even somebody who doesn't want to get a Alaska hunting
18 license, because of the fact that they have lived here
19 and they are a resident of the state, they are
20 qualified for Alaska Permanent Fund dividend. And I
21 think that's one way -- I don't know how the other
22 councils have addressed it but I think that that's one
23 way that we could qualify it. And we would be making a
24 statement at least that subsistence is for Alaska
25 residents, not for non-residents, not for people who
26 just came, not for people who have no intention of
27 staying. And I would like to make that in the form of
28 a motion.

29
30 MR. OSKOLKOFF: I'll second that.

31
32 CHAIRMAN EWAN: There's a motion. Would you
33 repeat that motion?

34
35 MR. MARSHALL: Yeah, please.

36
37 MR. LOHSE: The motion is that in order to be
38 qualified for subsistence -- a federal subsistence
39 permit -- is that what it's called?

40
41 MR. MARSHALL: I'd say probably to be able to
42 hunt under our regulations...

43
44 MR. LOHSE: Okay. To be able to hunt...

45
46 MR. MARSHALL: ...because not all the hunts
47 are permitted.

48
49 MR. LOHSE: ...under federal subsistence
50 regulations, the person will either be in possession of
51 an Alaska resident hunting license or be qualified for

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1 an Alaska Permanent Fund dividend.

2
3 CHAIRMAN EWAN: There's a second. Is there
4 any discussion on the motion?

5
6 MR. LOHSE: There was.

7
8 CHAIRMAN EWAN: Gary.

9
10 MR. OSKOLKOFF: Weren't you trying to say
11 earlier that the military have resident licenses?

12
13 MR. LOHSE: That's what I was asking and I was
14 just told that they don't have big game licenses. The
15 problem that we're trying to -- if I remember right,
16 going back to February, the problem we're trying to
17 address is the fact that currently you have people come
18 to the state, because they move into an area -- they
19 can be non-residents, have non-resident hunting
20 licenses for use on State land, but because of where
21 they live, they're qualified to hunt on federal land
22 under a subsistence license, even if they're not a
23 resident of the state of Alaska. And we've had a few
24 flagrant violations of that in the state of Alaska
25 where people have come under government jobs that took
26 them into remote areas and immediately were able to
27 take game under subsistence -- federal subsistence
28 regulations. This would prevent that. Basically, this
29 would say they had to be here for 12 months, they had
30 to be a resident of the state of Alaska. Now, if
31 that's true on the military, then I would put an "and"
32 in there instead of an "or." You know, if it's true
33 that somebody under 12 months could be qualified for a
34 resident license, then I would say that they would have
35 to be qualified for a resident Alaska hunting license
36 and be qualified for Alaska Permanent Fund dividend.
37 That would assure the 12-month residency.

38
39 MR. BASNAR: But what would that do to your
40 16-year-old son?

41
42 MR. LOHSE: Well, see, that's why -- that's
43 why I don't want to put that kind of thing in place
44 because I think that there are young sons and daughters
45 who are qualified to hunt subsistence who do not need
46 to be in possession of a resident hunting license by
47 state law because they're under 16. And that's why I
48 would like a clarification on the military thing.

49
50 CHAIRMAN EWAN: Let me ask Rod. Were you
51 amending try to amend your own motion?

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1
2 MR. LOHSE: No, I'm waiting to see what we...
3
4 CHAIRMAN EWAN: Oh, okay.
5
6 MR. LOHSE: ...clear up on the discussion.
7 What the military thing was.
8
9 MR. BASNAR: You know, just because a person
10 is eligible -- and your son would be eligible for a
11 state license -- he's just not required to have one.
12 So couldn't we use the word, "eligible"?
13
14 CHAIRMAN EWAN: Anybody have information on
15 military?
16
17 MR. SPRAKER: Mr. Chairman, page 8 of our
18 current regulation book states that "Military hunters
19 stationed in Alaska must buy an appropriate resident or
20 non-resident hunting license and tags to hunt. Non-
21 resident military hunters can buy tags at one-half of
22 the non-resident cost."
23
24 MR. LOHSE: Okay.
25
26 MR. SPRAKER: And it goes on to say that
27 "Members of the military on active duty who are
28 permanently stationed in that state and their
29 dependents are living in the state and are not yet
30 Alaska residents may buy special non-resident military
31 small game hunting licenses for \$25. They may also buy
32 a combination small game hunting license and a sport
33 fishing license for \$40." So those are the
34 differences.
35
36 MR. LOHSE: So basically, a military person
37 who hasn't been here 12 months buys a special non-
38 resident license, not a resident license. Right?
39
40 MR. MARSHALL: That's correct.
41
42 MR. BASNAR: For small game.
43
44 MR. SPRAKER: For small game -- he gets a
45 break on the small game license.
46
47 MR. LOHSE: Right. And for...
48
49 MR. SPRAKER: And a -- for big game hunting,
50 he has to buy the non-resident tag...
51

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1 MR. LOHSE: Right.
2
3 MR. SPRAKER: ...but the tag is at half price.
4 He buys the non-resident license and a half value non-
5 resident tag.
6
7 MR. LOHSE: So basically it's a non-resident
8 license?
9
10 MR. SPRAKER: Yes.
11
12 MR. LOHSE: Okay.
13
14 CHAIRMAN EWAN: So your motion is?
15
16 MR. LOHSE: So my motion stands as it was.
17
18 CHAIRMAN EWAN: Okay.
19
20 MR. LOHSE: That they have to get possession
21 of either a resident Alaska hunting license or be
22 qualified for an Alaska Permanent Fund dividend.
23
24 CHAIRMAN EWAN: All right. Further discussion
25 on the motion? Lee.
26
27 MR. BASNAR: Yeah, when you restated it, it
28 gave me a little concern, Ralph. You said in
29 possession of either.
30
31 MR. LOHSE: I didn't say "in possession." I
32 said "in possession of or qualified for."
33
34 MR. BASNAR: I didn't hear the "qualified
35 for." I guess I need to restate of the motion.
36
37 MR. LOHSE: Okay. The motion is, restatement
38 of the motion, that in order to participate in a
39 federal subsistence hunt, a person must be either in
40 possession of a resident big game hunting license or be
41 qualified for a Alaska Permanent Fund dividend. Is
42 that clear?
43
44 MR. BASNAR: It's clear but I find a problem
45 with it because I could -- I interpret that, if I don't
46 want to buy a hunting license I don't need to since I'm
47 already qualified to get the Permanent Fund.
48
49 MR. LOHSE: Under some -- for some federal
50 subsistence hunts, you might not have to have a hunting
51 license. That was the issue that was brought up

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1 before. And -- that there's a real possibility that
 2 for some federal subsistence hunts, you may not have to
 3 be in possession of a state hunting license. And if
 4 that's the case, what we're saying is that you still
 5 have to be a resident of the state. You still have to
 6 be qualified for an Alaska Permanent Fund dividend.

7
 8 CHAIRMAN EWAN: Could I ask in which instance
 9 that could happen? Or did you have ...

10
 11 MR. BOS: Mr. Chairman, I think under the
 12 current regulations, all federal subsistence hunters
 13 are required to have a state hunting license, but not
 14 necessarily a resident state hunting license. And I
 15 think Mr. Basnar's correct, if you have the wording
 16 "or," it allows people to hunt under federal regula-
 17 tions without having any state hunting license if they
 18 qualify for a Permanent Fund dividend. I think if I
 19 understand the qualifications for the Permanent Fund
 20 dividend, they're even more -- they're a little
 21 stricter than the state requirement because they're
 22 January 1 -- December 31. So you may have to live in
 23 the state more than 12 months before you can qualify
 24 for a Permanent Fund dividend. If -- say if you came
 25 to the state in June, you would have to not only live
 26 in the state until December, but you'd have to live in
 27 the state another whole year to qualify for a Permanent
 28 Fund dividend. So, I guess what I'm saying is that it
 29 may be that your -- the wording that you have to be
 30 eligible for a Permanent Fund dividend is unnecessary,
 31 as long as you require that a resident state hunting
 32 license be obtained because the resident requirement by
 33 the state is for a full 12 months.

34
 35 CHAIRMAN EWAN: Lee.

36
 37 MR. BASNAR: How would you address the under
 38 16 group?
 39

40 MR. BOS: The requirements of the state are
 41 adopted under the federal regulations so that hunters
 42 who are under 16 are not required to have a state
 43 license. They are required to get harvest tickets,
 44 which are free of charge. And as well, senior citizens
 45 are not required to have a state license if they have a
 46 permanent identification number that is available from
 47 the State. I think what the federal regulations say is
 48 that the state licensing requirements are adopted for
 49 the federal regulations.
 50

51 ~~CHAIRMAN EWAN: Are there other instances~~

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1 my question to anyone was -- where we don't -- where a
2 resident or a person doesn't need a license?
3
4 MR. BASNAR: Over 65.
5
6 MR. MARSHALL: 60.
7
8 CHAIRMAN EWAN: Over 65. Okay.
9
10 MR. MARSHALL: It's 60, isn't it?
11
12 MR. BASNAR: I think we need an amendment to
13 either withdraw or else amend.
14
15 CHAIRMAN EWAN: Ralph, you want to...
16
17 MR. LOHSE: Yeah, I'll -- I'll withdraw my
18 motion.
19
20 CHAIRMAN EWAN: You're the second so you're...
21
22 MR. BASNAR: I'll concur.
23
24 MR. LOHSE: I feel that we do need to address
25 the issue of non-residents taking subsistence and...
26
27 CHAIRMAN EWAN: All right.
28
29 MR. LOHSE: ...in line of that, then I will
30 restate the motion that currently it says they have to
31 be in possession of a Alaska hunting license -- because
32 that is the current law, that they have to be in
33 possession of an Alaska hunting license. And I'll say
34 -- restate it to say that they have to be in possession
35 of a resident Alaska hunting license.
36
37 CHAIRMAN EWAN: Is there a second?
38
39 MR. LOHSE: So in other words, the law stays
40 as it is, just add the word "resident".
41
42 CHAIRMAN EWAN: For the record, I just
43 everybody to know that the previous motion was
44 withdrawn.
45
46 MR. MARSHALL: All right. I have that.
47
48 CHAIRMAN EWAN: So this is a new motion. Is
49 there a second?
50
51 ~~MR. BASNAR: I'm still unclear, Ralph. I'm~~

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1 sorry. Can you try it again?
2

3 MR. LOHSE: Currently the law says that a
4 person to use a federal -- to hunt under a federal
5 subsistence hunt, has to be in possession of an Alaska
6 hunting license. That's current law. I would change
7 that current law to be "in possession of a resident
8 Alaska hunting license." In other words, what I'm
9 doing is adding the qualifications that they have to be
10 residents.
11

12 MR. BASNAR: I'll second that.
13

14 MR. JOHN: Can I ...
15

16 CHAIRMAN EWAN: There's a motion second. Go
17 ahead, Fred.
18

19 MR. JOHN: I was going to say something. I
20 think if the federal law says something about Alaska
21 resident hunting license, I don't think we should fool
22 around with it. We should talk on a...
23

24 MR. LOHSE: It doesn't say. That's why I want
25 to say it, Fred. Because the federal law says that
26 they have to have an Alaska hunting license. But they
27 can have an Alaska non-resident hunting license and
28 hunt under federal subsistence laws right now -- which
29 is being done. And what I would like to say is that
30 they have to have a resident hunting license. In other
31 words, they have to be residents of the state of Alaska
32 because they have to have a hunting license now.
33 That's number one. They have to have a hunting license
34 now by federal regulation, but they can hunt under non-
35 resident status right now. And I think it should have
36 to be resident status and so what I'm asking is that
37 that law read, "a resident Alaska hunting license."
38

39 CHAIRMAN EWAN: Any further discussion on the
40 motion?
41

42 MR. ROMIG: Roy.
43

44 CHAIRMAN EWAN: Ben?
45

46 MR. ROMIG: Yeah, I think what the gentleman
47 said there was the fact that if they met the require-
48 ments for the Alaska resident hunting license, you
49 know, then they'd qualify. Instead of complicating it,
50 wouldn't that be easier to word that way? If they meet
51 the requirements for an Alaska resident hunting license

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1 they're eligible for...
2
3 CHAIRMAN EWAN: I don't know. You'd have to
4 ask the motion makers here.
5
6 MR. OSKOLKOFF: Ben, are you saying then that
7 they wouldn't have to be in possession of one, they
8 would just have to meet the requirements of...
9
10 MR. ROMIG: Right.
11
12 MR. OSKOLKOFF: ...being able to qualify for
13 the one?
14
15 MR. ROMIG: Right.
16
17 MR. OSKOLKOFF: I would be more in favor -- be
18 inclined to go along with something like that. The
19 problem that -- Mr. Chairman, if I could -- the problem
20 I have is that we're talking about a federal sub-
21 sistence hunt and we're having to get a State of Alaska
22 license which is not...
23
24 MR. JOHN: I have a problem with that.
25
26 MR. OSKOLKOFF: ...wanting to follow the
27 federal subsistence hunt and the reason -- the whole
28 reason that we were propelled here -- and I can see
29 that there might be other problems develop in that --
30 but leaving that aside, you still have to pay for the
31 hunting license. You still have to be able to obtain
32 one which means that you have to make your way through
33 to the appropriate entity to pick one up at that time.
34 Those are a couple of minor problems that I have with
35 it. I like the concept of having it if you were
36 eligible for one, you're in. And in the alternative, I
37 would suggest that there be federal -- be developed
38 federal hunting licenses for that purpose, for
39 subsistence purposes. Although, if that is necessary
40 -- if someone has -- and for some reason we feel we
41 have to have a piece of paper in our hand for that,
42 other than the moose harvest ticket itself which is
43 already a federal moose harvest ticket in this
44 particular case -- then I would suggest that it be a
45 federal piece of paper and that the fee for it be
46 minimal, if at all. But I'm inclined to think that
47 being qualified for one is probably enough of a wording
48 for me.
49
50 CHAIRMAN EWAN: What do you think, Ralph?
51

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1 MR. LOHSE: I'd like to have him read the --
2 he just showed me what the regulations read right now.
3 I'd like to have him read it out loud just to...
4

5 MR. MARSHALL: Rod, do you have that? Well,
6 I'll point out in the interim while he's looking that
7 up -- I think you might want to think out having, you
8 know, federal licenses because a lot of qualified rural
9 residents will not limit their hunting to federal land.
10 People would end up having to buy two licenses in
11 many, many cases. And you might want to think about
12 that as you proceed.
13

14 CHAIRMAN EWAN: Okay. That was just a comment
15 really. Right? There's no action there.
16

17 MR. OSKOLKOFF: No, I didn't ask for a
18 movement.
19

20 MR. KUHN: There are two parts in our
21 regulations that refer to your discussion here. One is
22 the actual definition section where it defines
23 resident. And that is where it leaves things a bit
24 open. I mean, it says, means "Any person who has his
25 or her primary permanent home within Alaska and
26 whenever absent from this primary permanent home, has
27 intention of returning to it". Factors demonstrating
28 -- and it goes on to factors demonstrating you have to
29 be a resident of Alaska. But then when it talks about
30 licenses, permits, harvest tickets, tags, and reports
31 at Point 6 of Subpart A. It says, "To take fish and
32 wildlife on public lands for subsistence uses,
33 subsistence users must possess and comply with the
34 provisions of any pertinent permits, harvest tickets or
35 tags required by the state or federal permits, harvest
36 tickets or tags as required by the board, and must
37 possess the pertinent valid state hunting, fishing and
38 trapping licenses unless federal licenses are required
39 or unless otherwise provided for in these regulations."
40

41 MR. LOHSE: So the problem comes with the
42 word, "pertinent," right?
43

44 MR. KUHN: Pertinent.
45

46 MR. LOHSE: Yeah.
47

48 MR. KUHN: So if a person were, as you have
49 identified, had a pertinent non-resident State of
50 Alaska tag and demonstrated that they were a resident
51 under the looser term of the word, "resident" in

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1 definitions -- which has no time restriction on it --
 2 they would be eligible to hunt under federal
 3 subsistence regs.

4
 5 MR. BASNAR: If the word, "resident" were
 6 added after the word, "pertinent"?

7
 8 MR. KUHN: That would clarify the type of
 9 state reg- -- permits you were talking about requiring
 10 them to have.

11
 12 MR. BASNAR: It'd be the simplest fix and it
 13 would be clearer.

14
 15 MR. MARSHALL: And it would close a loophole
 16 that we've been criticized for. Seeing our procedures
 17 are community based, all a person has to do is be,
 18 you know, a resident of a qualified community.
 19 (Indiscernible- unclear) had a non-resident license and
 20 they're in and we've been criticized heavily for that.
 21 I think rightfully so. That would fix that problem.
 22 I suggest that to go further might create more problems
 23 than it fixes. That's my own personal opinion.

24
 25 CHAIRMAN EWAN: All right.

26
 27 MR. LOHSE: Well, I withdraw my motion.

28
 29 CHAIRMAN EWAN: You want to withdraw your --
 30 second it?

31
 32 MR. BASNAR: I'll concur.

33
 34 CHAIRMAN EWAN: Okay. A second motion has
 35 been withdrawn. What's the wishes of the council now?
 36 Do you want to take action on...

37
 38 MR. BASNAR: Yes. I move that -- I don't know
 39 the appropriate vehicle to get this word inserted, but
 40 I would like to insert -- forget the word move that I
 41 just said, but I would like to get the word, "resident"
 42 inserted after the word, "pertinent" in the regula-
 43 tions. Can I move that we recommend it to the board?
 44 Is that the proper procedure, Dick? What's the proper
 45 procedure here?

46
 47 MR. MARSHALL: A recommendation would be
 48 appropriate.

49
 50 MR. BASNAR: Okay, I would move that we insert
 51 the word, "resident" after the word, "pertinent" in the

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1 qualification section of Subpart A and forward that
2 recommendation to the subsistence board.
3
4 CHAIRMAN EWAN: There's a motion. Is there a
5 second?
6
7 MR. LOHSE: I'll second.
8
9 CHAIRMAN EWAN: The motion is seconded. Any
10 further discussion on the motion?
11
12 MR. MARSHALL: I'm sorry. Who seconded it?
13
14 CHAIRMAN EWAN: Ralph. Didn't we talk about
15 this before? I mean...
16
17 MR. LOHSE: Yes, that's why we put it off. We
18 put it off 'til this meeting.
19
20 CHAIRMAN EWAN: I mean this very thing here?
21
22 MR. LOHSE: This very thing.
23
24 CHAIRMAN EWAN: Yeah.
25
26 MR. BRELSFORD: Right. In fact it was the
27 Sheraton Hotel.
28
29 CHAIRMAN EWAN: Yeah.
30
31 MR. LOHSE: It's a question of whether we want
32 resident or non-resident people to be qualified for
33 subsistence.
34
35 CHAIRMAN EWAN: I mean, I recall we, kind of,
36 talked about recommending this before. It's a good
37 thing we're recommending right now.
38
39 MR. BASNAR: And then we decided to defer it.
40
41 CHAIRMAN EWAN: Right. All right, so we
42 already talked about it before. Any further discussion
43 on it? You ready to vote on the motion?
44
45 MR. BASNAR: Question.
46
47 MR. OSKOLKOFF: Question.
48
49 CHAIRMAN EWAN: Question's been called for.
50 All in favor say aye?
51

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1 ALL IN UNISON: Aye.
2
3 CHAIRMAN EWAN: Opposed by the same sign?
4
5 (No opposing votes)
6
7 CHAIRMAN EWAN: The motion is carried. Other
8 business? We don't have any other business on this.
9 Other Old Business?
10
11 MR. BRELSFORD: I believe that concludes the
12 Old Business, the carried over business. The next
13 item, Mr. Chairman, would turn to New Business and
14 reports from the land management agencies.
15
16 CHAIRMAN EWAN: All right. The next item is
17 Chugach National Forest, their report. Is somebody
18 here from Chugach National Forest?
19
20 MR. LOHSE: Let's take a break first.
21
22 CHAIRMAN EWAN: All right, let's a -- can we
23 take a couple -- five minute break first?
24
25 (Off record - 2:11 p.m.)
26 (On record - 2:20 p.m.)
27
28 CHAIRMAN EWAN: I'll call the meeting back to
29 order. The next item on the agenda is Chugach National
30 Forest.
31
32 MR. ZEMPKE: Thank you, Mr. Chairman and
33 Southcentral Council for inviting me here. Probably
34 the first thing I need to say is that we have a new
35 forest supervisor. I think, Roy, you've met him
36 several -- maybe a month or two ago. He's only been in
37 Alaska for three months, so he's kind of new to the
38 subsistence issues but he's had a couple of indoctrina-
39 tions and so I think he's starting to understand the
40 complexities of the issues and the importance of
41 subsistence to so many people out in Alaska. Part of
42 the concern that he heard when it was -- primarily
43 during our regional analysis of a subsistence program
44 was that -- that possibly you guys wanted to find out
45 more about our management actions that were occurring
46 on the national forest. And in that regard, you
47 probably won't be real happy to hear it, but you're on
48 all our mailing lists now. We actually sell them to
49 other people. No, not really. Well, the federal
50 government's been looking at how to collect more money.
51 But really, you're on the mailing lists so you'll

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1 probably be getting a lot of material coming through
2 the mail. Some of you -- if you're in Prince William
3 Sound, you might find it interesting. Others, you
4 might want to roll it up and it's probably good
5 firestarter. I mean, winter's coming on.

6
7 MR. LOHSE: It doesn't even burn good.

8
9 MR. ZEMPKE: It doesn't burn very well. You
10 found that out already. But Larry wanted to iterate
11 again that he is very concerned about subsistence. The
12 actions that are going to be proposed and implemented
13 on the forest will take subsistence into account as one
14 of the major factors. And hopefully the council will
15 be a major player, if -- again, if you want to be in
16 some of those decisions.

17
18 So, kind of starting with the new paperwork, I
19 think in your book under Item -- Tab 9, at least a
20 portion of it is there. You've got four documents.
21 One -- and the first one is called the Chugach National
22 Forest Schedule of Proposed Actions for NEPA -- and
23 this is -- SOPA. And it's a quarterly report basically
24 showing or telling you what proposed actions are going
25 to occur on the Chugach National Forest. And it's
26 divided, one, by actions that the forest supervisor
27 would approve. And then after that was the three
28 ranger districts. The Cordova Ranger district, which
29 is the eastern Prince William Sound, primarily the
30 outer islands. The Glacier Ranger district, which is
31 the western Prince William Sound and the eastern Kenai
32 Peninsula. And then Seward Ranger district, which is
33 kind of a western portion of Unit 7 on the Kenai
34 Peninsula.

35
36 And if you look at that, there's, you know, a
37 whole gamut of projects, a lot of them you may not be
38 too concerned with. You know, there's the Turnagain
39 Pass toilets. I'm not sure whether or not -- it's a
40 burning issue to a lot of people but you guys are
41 probably not going to be too interested in it. But
42 then there's other projects that have a Fish and
43 Wildlife objective or may actually deal with more broad
44 scale ecosystem issues. Examples going through is on
45 the say, Cordova or I say, the Glacier Ranger district,
46 there's the Paulsen Creek Fishway. It's a project
47 that's rebuilding a fishway on Prince William Sound to
48 provide access to pinks up into habitat, produce more
49 fish, probably produce more fish for subsistence users
50 if they want to get pinks. Another one is Palmer Creek
51 Fishway. It's in Palmer Creek, which is Resurrection

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1 Creek, which flows down through the town of Hope. The
2 primary emphasis of that would be to produce more cohos
3 primarily for user groups located in Homer -- or Hope.
4 So it'd be a subsistence-oriented project.
5

6 You've got four major forest health projects.
7 Forest health is kind of a buzz word for bark beetle
8 infestation vegetation management. If you drove down
9 here or flew over to get down here, you probably saw
10 all the bark beetle damage on the spruce stands. I
11 think there was some talk earlier that the Ninilchik
12 Native Association had 50 sections that they were
13 dealing with. National forest system lands, we're
14 probably looking at pretty much all of the Seward
15 Ranger district as far as some sort of salvage sale
16 opportunity. Now whether they'd be harvested or not is
17 another matter.
18

19 Example, Moose Pass, which was a 200,000 acre
20 area that we looked at. There was -- it's getting
21 close to being a final recommendation. There's about
22 2,000 acres out of that 200,000 acres that's actually
23 going to have some type of treatment, or vegetative
24 management treatment. Some type of harvest. About 200
25 of that is clear cut. The rest of it's some kind of
26 sanitation salvage of the area. And then there's -- in
27 conjunction with that, about 4500 acres of prescribed
28 burning, which would be for revegetation -- restarting
29 the spruce forest, but also for wildlife habitat
30 improvement. So there's some benefits going on there
31 to subsistence users. We're also looking at -- with
32 the Moose Pass -- realizing that road access could be a
33 problem, particularly when it's right along the road
34 system and new access in those areas may not be real
35 beneficial to subsistence users so the road systems
36 would be closed, revegetated. And so that would
37 provide more natural access or kind of a baseline
38 access that's there already. So those would be some of
39 the things that we're looking at for mitigating
40 potential impacts of management activities on
41 subsistence users in the areas.
42

43 Again, the things that we're really looking
44 at, probably, that could potentially impact subsistence
45 users on the area, this forest health issue. I think
46 last year it talked about Moose Pass. The federal
47 government really works quickly. This is an emergency
48 and we're almost ready to do a decision a year later.
49 That's pretty fast for us. Though Congress is looking
50 over our shoulder, so I think we're learning to do
51 things a little more quickly.

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1
2 So, again, you guys are going to be on the
3 mailing lists. We're starting another round of what we
4 call scoping public involvement for what's called the
5 Six Mile area, which is coming down from Anchorage,
6 when you first get past Turnagain Arm -- Turnagain Pass
7 and the first break over the Six Mile drainage is the
8 first major stream that goes into Turnagain Arm. The
9 next one is the Palmer Resurrection area. That's
10 another one, it's kind of the backyard to Hope. We'll
11 be looking at that area. And then also down Ingram and
12 Seattle creek over in kind of the eastern part of the
13 Kenai. And then, right here in the southern end,
14 Resurrection River and Lower Ptarmigan Creek, kind of
15 closer to Seward and Moose Pass. Overall there's a
16 projected harvest of about 50 million board feet which
17 would equate to somewhere around maybe 10,000 acres of
18 harvest or management activity which, again, isn't a
19 real major portion of land base but it's probably a
20 fair amount of the spruce stands that are out there.
21 It's broken up into those several different sale
22 opportunities. And I think in the back of that section
23 I gave Helga, it's kind of a -- what we call a gate
24 schedule, kind of the projects I talked about and their
25 proposed volume and then, kind of, when each one of the
26 things are going to happen. And -- did you guys find
27 that at all?

28
29 MR. BRELSFORD: It should be there. It should
30 follow the...

31
32 MR. ZEMPKE: It says, '95/'97 salvage sales
33 from Chugach National Forest. And really, we're pretty
34 much through all Gate 1's right now. And all that is,
35 is kind of a purpose and need. There's bug kill out
36 there. It's an obvious problem. We need to do
37 something in treatment so that those spruce stands can
38 get regenerated and then also we can meet some other
39 needs such as maybe wildlife habitat improvement. So
40 that purpose and needs statement is pretty much done.
41 The Gate 2, if you look at that, that's kind of the
42 NEPA analysis. And that would be an area where we're
43 doing an environmental document, trying to discuss what
44 the management opportunities are out there. And that
45 may be one place where local subsistence users or the
46 councils could possibly interject their desires or what
47 you feel are objectives for management out there.

48
49 If you know of specific areas you think would
50 be most appropriate for management for subsistence
51 resources because of their really extremely high value

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1 which would maybe preclude all other kinds of manage-
2 ment activities within an area. That's probably the
3 kind of things that the Forest Service would like to
4 hear. And you can see that those are happening fairly
5 rapidly all the way from, kind of, near the end of this
6 year through next summer. And so, we probably have a
7 package pretty much put together that we could present
8 again in the February meeting if you guys have time to
9 look at that and have desire. I'll coordinate with
10 Helga and maybe get a good feel about whether or not
11 you feel it's appropriate at that time. So those --
12 you know, that Gate 2 -- that environmental
13 documentation is probably a very good place for
14 Southcentral Council information. Gate 3 and above are
15 pretty much kind of the implementation phase. Gate 3
16 is where we actually go out and mark the units or put
17 the clear cut boundaries in or tag flag the road
18 systems in. So it's probably pretty much beyond when
19 input would be real useful. And then the Gates 4 and
20 6, you don't really need it, it's just kind of how we
21 put together a contract for sale.

22
23 So that's kind of the major forest health
24 issues that we have going on. And an example of -- and
25 again, it's Moose Pass. I think Helga sent that out
26 too. And I won't -- you know, it's lots of pages.
27 It's probably interesting reading out on the boat,
28 Ralph. Other than that, you probably don't need to
29 concern yourself too much with that, other than the
30 fact that that's probably what kind of things you're
31 going to get through the mailing list as part of it. I
32 guess if you have concerns about that, I guess we'd
33 like to hear that too.

34
35 And then finally, I guess, what I'd like to
36 discuss is the Chugach Forest Plan Revision. It's kind
37 of this last little packet of material. And this is
38 kind of a draft revision document statement. It's kind
39 of how our planning office sees the revision occurring.
40 And if you look on page 2, there's kind of the draft
41 work plan. There's kind of a planning action and a
42 schedule right in there. And we're looking at doing
43 four major phases. One -- well, I should back up a
44 little bit. Those four phases would start approxi-
45 mately January '96. And some of that's -- it's still
46 up in the air, depending on what happens with the
47 Tongass planning revision, which has higher priority,
48 particularly if you look at the number of articles in
49 the newspaper. And then the other one is this forest
50 health issue. How soon we get done with some of those
51 environmental documents. So this is probably a very

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1 optimistic schedule, the January '96 date is, I think,
2 a wish list for our planning people and it's probably
3 more likely June '96 it's going to start. And then
4 this schedule, you're looking at about a 2 1/2 year
5 process to get it done.
6

7 Again, looking at where you guys might think
8 of the council having significant input, one would be
9 in the purpose and needs statements about how you would
10 see the forest being managed. The old forest plan,
11 which was written in 1995 -- or '85, was pretty non-
12 specific. It really didn't mention subsistence too
13 much. Certainly we weren't into a federal program at
14 that time. So there's a lot of new things that are
15 going to have to be addressed in the plan. So we're
16 going to try to -- have to formulate that and by, say
17 about March, a three-month period, we'll probably have
18 some issue statements on how we're going to deal with
19 subsistence management on the forest and you guys would
20 be receiving a draft of that for comment and review.
21 After that, kind of the next phase after the -- well,
22 we take all the comments, basically, come back together
23 with a purpose and need from all the public scoping
24 that went on and start looking at analysis in the
25 management situation which is kind of a fancy way of
26 saying, "Well, what's out there? What opportunities do
27 we have for management for various resources?" Again,
28 you're looking at about a three or four-month period.
29 After that's done we've got, kind of, a picture of what
30 the forest can produce for various types of resources.
31 Subsistence would be one of those. And then from that
32 we'd be formulating alternatives. And you're looking
33 at probably about a six-month period. At that time
34 would be another major place for subsistence users and
35 the Southcentral council to have a voice about maybe
36 putting together their own alternative, presenting it
37 to the Forest Service, or helping define what some of
38 the alternatives should be. After that would be an
39 evaluation of the alternatives and there comes out a
40 draft forest plan. This says November of '96. That's,
41 again, a very optimistic schedule. I think if you look
42 at the Tier 1 provision, I think it's -- which is the
43 Tongass Land management provision -- it's been around
44 for eight years and it's still in that draft stage.
45 Hopefully, this won't take nearly that long but -- but
46 at that time there will be another major opportunity.
47 The public will be involved. Take a look at the draft
48 and make recommendations or observations about how it
49 should be changed. And then we'd be taking that and
50 writing a final EIS.
51

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1 So again, that's about a 2 1/2 year period.
2 You guys will be probably receiving a lot of material
3 through the mail. Also, if you desire, we'd probably
4 bring our planning team in and give presentations at
5 some of the bench -- key bench marks as we go along so
6 that you guys are actively involved. I guess, so
7 that's pretty much what we're looking at. About a
8 2 1/2 year period to try to go through and revise our
9 forest plan.

10
11 Kind of stepping back, if you look at -- we
12 haven't really been or don't have a lot of active
13 subsistence management seasons on the forest yet. I
14 think one of the priority subsistence seasons that we
15 do have is mountain goats in Prince William Sound.
16 It's a registration goat permit and it seems to be
17 working well because we've been working with local
18 people, also with local ADF&G. We have permits that go
19 out to the villages. We've got a of couple contacts
20 out. One is Gary Concoff (ph) in Tatitlek. Another
21 one is Mike Pelichanski (ph) down in the village of
22 Chenega. They basically get permits right there in the
23 village so people don't have to come in to Cordova at
24 the ranger station to get permits. And that seemed to
25 have been working pretty well. But other than that, we
26 really haven't had a lot of interaction directly on the
27 district level with local users. But, you know, as
28 things go along and certainly the recommendation for
29 taking a look at deer as a possibility for subsistence
30 priority out in the Sound. Certainly our ranger
31 districts out in the Sound would like to be actively
32 involved with that. So I'm sure you'll be talking with
33 them more and more.

34
35 I guess right now I'd like to open up with
36 questions anybody has.

37
38 CHAIRMAN EWAN: All right. Thank you. Any
39 questions?

40
41 MR. LOHSE: I just have a couple. I see you
42 have a budget for four years so you don't plan on
43 getting it done too fast.

44
45 MR. ZEMPKE: Too fast, yeah.

46
47 MR. LOHSE: Just curiosity on the spruce
48 beetle thing. Has any historical research been done to
49 see what kind of a time frame that reoccurs on?

50
51 MR. ZEMPKE: Yes, there has been a fair amount

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1 of research looking at natural reoccurrence, fire
2 history. How that, maybe, has influenced beetle
3 harvest development. I don't have it here. Our forest
4 science laboratory has a couple of folks that have
5 looked into that quite detailed. If you'd like, I
6 could get -- have them contact you directly and kind of
7 give you some of that history.

8
9 MR. LOHSE: I wouldn't mind getting a little
10 background on that and what the expectations for
11 spreading in the Prince William Sound is.

12
13 MR. ZEMPKE: Right now -- the Prince William
14 Sound is mostly Sitka spruce and it doesn't appear to
15 be a problem with Sitka spruce. But it's getting so
16 intense that they seem to be maybe starting to look
17 at...

18
19 CHAIRMAN EWAN: Well, do we -- do we have some
20 infestation in the Sound? Are some of those -- some of
21 brown areas that are starting to show up, are they
22 spruce beetle or...

23
24 MR. ZEMPKE: I couldn't tell you specifically
25 on that. Looking at some of the Kenai, there's been a
26 whole series -- particularly, you know, people haven't
27 really looked past much -- maybe the 1950s -- before
28 that. But if you look around some of these drainages,
29 there's multiple occurrences of beetle kill. Quite
30 often it may be there was a storm, you got some blow
31 down, you get a pocket of beetles, they start to go.
32 Maybe then, it's somewhat circumstantial. If you have
33 a summer like this, the beetles probably aren't going
34 to do much because they don't get much of a flight in
35 cool, wet weather. But maybe last year, if you had
36 some blowdown, the beetles build up to a level and you
37 got warm, dry weather and you got really good
38 conditions for flight. And then you get a big
39 expansion right at that period. And I think some of
40 the recent infestation on the Kenai is kind of a
41 combination. There's been quite a bit of disturbance.
42 New housing developments, small -- maybe small timber
43 sales, roads where there's been jackpots of downed
44 material where beetles could build up and then there
45 was, kind of coincidental to that, these warm, dry
46 summers that provided optimal conditions for breeding
47 and in flight of the beetles. And so it was kind of
48 that combination that exacerbated the situation. Not
49 much you can do. Once they're there, they're there.
50 And most of this forest health -- we're probably not
51 going to stop the beetles by doing that. One of this

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1 is that we are going to salvage some merchantable
2 material, provide jobs. But the other part is, once
3 some of these stands -- like there's a kind of a
4 Calamagrostis kind of blue joint or blue stem grass
5 that builds up under the stand. And if you don't go in
6 and actively get some kind of scarification, either
7 mechanical or fire, you won't get spruce to come back.
8 And it will turn into a grass stand, which, I guess is
9 park-like but at the same time it isn't good wildlife
10 browse and at that same time it's not producing any
11 trees. And so, that would be one of the things we'd be
12 looking at. The overall forest mosaic and trying to
13 say, well, maybe all the big spruce going out at one
14 time isn't good. And we're going to try to treat some
15 of it so that in the real long term there will at least
16 be some bigger spruce out there.

17
18 MR. LOHSE: Chugach National Forest's activity
19 does not extend into the national park in Unit 11 then?
20

21 MR. ZEMPKE: No. It also -- right in here,
22 the beetle infestation goes all the way through here.
23 So we're not dealing anything with the national
24 wildlife refuge there either, so...
25

26 MR. LOHSE: Yeah.
27

28 CHAIRMAN EWAN: Any other questions?
29

30 MR. HENRICHS: Yeah, you guys ever plant any
31 trees in the Chugach Forest?
32

33 MR. ZEMPKE: We haven't planted too many but
34 under Moose Pass, you're looking at probably 1,400 to
35 2,000 acres. Nearly as many acres as we're harvesting,
36 there's going to be planting done. And some of it's in
37 the areas -- so actually harvest in other areas would
38 be burning and then planting underneath there. So
39 it's -- it hasn't been a common -- well, for one thing,
40 we really haven't harvested that many trees on the
41 Chugach. There's limited salvage sales that have been
42 done on the Kenai. And in Prince William Sound,
43 there's a lot of timber harvest but very little on the
44 national forest. It's all pretty much Native corpor-
45 ation lands. It's probably -- no. And we do have
46 nursery stock and there's been seed sources collected
47 and now we've got a bunch of seedlings we're going to
48 bring back out.
49

50 MR. HENRICHS: Yeah, where are you doing this
51 nursery stock at?

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1
2 MR. ZEMPKE: It's -- the nursery's in Palmer.

3
4 MR. HENRICHS: Oh, okay. Good. Good.

5
6 MR. ZEMPKE: And normally in nursery stock you
7 try to select spruce cones from the area. So you get
8 -- you don't go out and take spruce from Palmer and
9 then come out and try to plant them in Kenai. They
10 probably won't grow very well. So we're collecting
11 seed source from the local area in kind of the same
12 ecological setting and trying to bring those trees back
13 into that same area.

14
15 In the past, we've done a fair amount of
16 wildlife burns. In the last couple years, as we
17 started planning these timber sales, it kind of dropped
18 back off of that. I'm sure -- I think within this plan
19 we're looking at about 5,000 acres. So that's kind of
20 an increase in what -- at least in the near recent past
21 we've done. Again, that's kind of opportunistic. If
22 you have summers like this, you know, you can plan
23 5,000 acres of burning but you're probably not going to
24 get much of it. Have summers last year -- well, you
25 might not get it either because everybody's afraid that
26 if you start the fire it's going to get away from you,
27 so. And so it's somewhat opportunistic. If we have
28 good burning conditions and then the smoke's right.
29 Things are getting more and more complicated as
30 Anchorage and the surrounding communities build up --
31 or Soldotna. Maybe 20 years ago you could light the
32 fire and let it burn and you never really cared where
33 the smoke went. Now if the smoke goes down into
34 Anchorage or Kenai/Soldotna, it's a big concern.
35 People don't understand, well, it's maybe temporary and
36 it's got this good altruistic cause and we're going to
37 create more wildlife habitat and more moose out there,
38 but enjoys that but they don't like that smoke. So, it
39 just makes things a lot more difficult.

40
41 CHAIRMAN EWAN: All right, any other
42 questions? If not, thank you.

43
44 MR. ZEMPKE: Thank you.

45
46 MR. LOHSE: I'd like that, if you could put me
47 on a list to get that stuff on the spruce beetle, I'd
48 appreciate it.

49
50 CHAIRMAN EWAN: At this point I want to ask
51 the council members if there's any objection to letting

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1 a person testify that didn't have the opportunity
2 yesterday? Mr. Oskolkoff here in the audience. If
3 there's no objection, we'll have Gerasim Oskolkoff
4 testify at this time.

5
6 MR. OSKOLKOFF, SR.: I can't see for looking.
7 I need to get closer to light.

8
9 MR. BRELSFORD: Would it be easier to stand
10 here with that light right over your -- overhead?

11
12 MR. OSKOLKOFF, SR.: Yeah, it would be.

13
14 (Mr. Brelsford moves podium to accommodate
15 speaker)

16
17 MR. OSKOLKOFF, SR.: Excuse me. I'm losing my
18 voice, I guess something's in there. But I guess I --
19 I missed the people that testified last night. I wish
20 I could have been here but other things I have to do.
21 If I can read this and you can make sense of it. It
22 might take a little time because we -- I didn't have
23 much time. I just came about 11 o'clock to the office
24 and wrote what I would say here and my daughter typed
25 it out. So I'll try and do my best.

26
27 Good afternoon. Thanks for the '95 subsis-
28 tence moose hunt but it was too far away. No way to
29 get to moose. I couldn't hunt myself. I wish this
30 wouldn't have been made a racial issue. I did not
31 think that there would be such a position to the many
32 Indians -- to the many Indians here. I did not think
33 that many of the people here have -- many of the people
34 here have spoken would be denying their American Indian
35 bloodlines. The need for meat was far from being
36 satisfied. In other words, it was zero. The citizens
37 of this country should be on our side if all things are
38 to be equal. That is the main topic, I think, of my
39 thing here. After all, this was our country first.
40 Yet more of our Native people than any other people, a
41 greater part of our people fought and served to protect
42 this country for everyone. They say, "The Indians
43 didn't do anything in our war." Yet the last -- World
44 War II, which I served in, brought in the most medals,
45 I believe. So we have to think back. We just can't
46 say, "You, you, and you don't count. You're not of
47 this country. You're aliens or something" because we
48 are supposed to be all equal.

49
50 A greater -- let's see. A greater part of our
51 people fought and served to protect this country. If

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1 I'm repetitious, why that's -- many of us veterans, we
 2 should be -- fought and served to protect this country
 3 for everyone. Many of us are veterans. We should be
 4 protected as they have been. I can't quite emphasis
 5 where the things are because I don't see the periods.
 6 As I have testified previously, the moose meat is the
 7 best for us and what we are used to as this chart I
 8 have here shows. This is from our clinic but they get
 9 it from -- you can see where moose meat is and where
 10 beef is. I tried to emphasize that in Anchorage, but
 11 when I go to those places, by the time it gets time to
 12 testify, I'm so tired out because a strange place I
 13 don't sleep. I hear everybody walking in hallways,
 14 every little sound outside. It's a strange place, I
 15 don't get any rest whatsoever. So, I'm glad that
 16 this was brought closer to us where we can do it from
 17 home.

18 This book I have here. See how big that thing
 19 is? Heavy for me. Agrofina's Children - The Old
 20 Families of Ninilchik, Alaska edited by Wayne Leeman
 21 (ph), the senator's son -- I mean brother. So it runs
 22 down -- since my eyes are giving out, I have a hard
 23 time reading -- just maybe a page or two if I can do
 24 that. But there is pages as you can see. There are
 25 over 2,000 names in here including our family in Port
 26 Graham, Nanwalek, Seldovia, Kenai, Tyonek, and others.
 27 There were other settlements. What we talk about as
 28 communities now, like Ninilchik, Tyonek, Kenai and
 29 Seldovia, it was different from our dads and what-not.
 30 We learned that that was Kalifonsky and other settle-
 31 ments along Cook Inlet since that was their highway.
 32 The inlet was their highway. That's how they got from
 33 one place to the other. So we are talking about two
 34 different things.

35
 36 We are talking about how we were raised, how
 37 our people traveled from one place to the other. When
 38 I came back from the service, we were fishing in Clam
 39 Gulch and my buddy from the training there came down to
 40 see me. He walked down Clam Gulch from the Sterling
 41 Highway -- that's where it was, that's as far as they
 42 got with the Sterling Highway. And he walked down --
 43 down to Clam Gulch and about a mile or so -- two miles
 44 I think, maybe closer -- to see me. And he said -- so
 45 we had a lot of things to talk about, we hadn't seen
 46 each other for a while. And he said, "Why won't you
 47 come up." So, I had nothing to do, I says okay, to the
 48 camp. Okay. So we walked over to the camp. And boy,
 49 it was great. They served us everything. Gave us all
 50 kinds of apples or whatever we wanted. And then he
 51 says, "Do you want to see the highway, as far as it's

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1 built?" And I says, "Yeah, I'd like to see that." So
 2 we walked up to the highway where the highway is now.
 3 In all my days I've never seen a place wide, smooth. I
 4 says to myself, "What's this for? They don't need that
 5 much room. Nobody needs that much room" because we
 6 were used to just a path. So that's some of the things
 7 that we went through. And now we're fighting tooth and
 8 nail for one moose for the old-timers, women, families.
 9 No, they can't spare one moose. No way. Do you know
 10 how long we've been arguing the case? So, this year,
 11 I'll have to go and eat that beef. The percentage is
 12 what there? But he chose moose.

13
 14 (Mr. Lohse assists speaker with reading chart)

15
 16 Okay, so it's about 25 percent of fat in
 17 selected cooked meats, 25 percent for beef and about 3
 18 percent for moose. Thank you. The book here now is
 19 available to anyone that will write. I have an address
 20 here. The address is, if I can read it, Agrofina's
 21 Children, Agrofina Press, 843 West, I believe, First
 22 Street, Harding, Montana 59034. Thank you.

23
 24 CHAIRMAN EWAN: Thank you, Mr. Oskolkoff. Any
 25 questions or any comments before he leaves? If not,
 26 thank you very much.

27
 28 MR. OSKOLKOFF, SR.: You can ask -- if anyone
 29 has a question -- ask Deborah or my son Gary.

30
 31 CHAIRMAN EWAN: Okay, thank you. We'll go on
 32 down the agenda. The next item is Kenai National
 33 Wildlife Refuge report.

34
 35 MR. CHASE: Hello, my name's Mark Chase. I'm
 36 the refuge manager of the Kenai National Wildlife
 37 Refuge. I guess I know the council has a lot of
 38 interest in the spruce bark beetle things and I can
 39 follow up kind of where we left off with the Forest
 40 Service. A couple of things that are going on on the
 41 refuge. We do have a couple -- two studies going on
 42 right now to determine the fire history and the bark
 43 beetle history on the Kenai Peninsula. And one of them
 44 involves boring trees and getting a chronology of the
 45 tree growth back a couple hundred years. And the
 46 second involves sampling sediments out of lake bottoms
 47 -- pond bottoms. And you can -- they pull up columns
 48 of soil and they can find in there -- like one of the
 49 recent ones, there will be a layer of ash in there from
 50 the Redoubt eruption. So they say, okay, that's 1990
 51 or whichever it was. Then they can read back in time.

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1 And what they're looking for is to find beetle parts
2 in those sediments. And then there will be charcoal
3 parts from fires. And one of the specula-tions is that
4 probably large fires may have followed beetle
5 outbreaks. And so that's one of the studies that we've
6 got going on right now specifically related to that.

7
8 Other than that, there's a number of things
9 that go on on the refuge daily. The subsistence issues
10 occupied a significant part of my time lately. And
11 what I'd really like to do is find out questions that
12 you all have about what's going on on the refuge. We
13 got a number of programs that may be of passing inter-
14 est to you but directly relative to subsistence. I
15 guess I'd like to kind of have an informal discussion
16 with you guys and answer -- answer things that you
17 might have.

18
19 CHAIRMAN EWAN: So you just want to open it up
20 for questions?

21
22 MR. CHASE: Yeah, yeah, I'd like to see if
23 there's...

24
25 CHAIRMAN EWAN: Does anybody have any question
26 or -- Lee.

27
28 MR. BASNAR: Is it too early? Do you have any
29 data on the moose hunt this year on the refuge, Mark?

30
31 MR. CHASE: The information Dick provided, I
32 think, on the 10-day start on the subsistence hunt that
33 ran through the 20th, there's some preliminary
34 information on that. The general moose hunt is in its
35 preliminary stages as far as getting any information
36 back to the State on that. The Skilak Loop permit
37 subsistence hunt ended the 14th. We heard that there
38 were eight permits issued and we encountered two
39 individuals in routine patrols out there that were
40 actually hunting. The Skilak State permit hunts are
41 ongoing right now. There's -- is it 20 cows? 40 cows
42 and 20 bulls. And that's occurring right now. In that
43 hunt, preliminarily, there's been about five cows taken
44 and those seasons run here until the end of the month.

45
46 In general, the harvest Peninsula-wide is
47 going to be down from what it was last year primarily
48 because there was not a lot of spike-fork bulls
49 available to be taken out there. So we can expect the
50 overall harvest from the Peninsula to be down.

51
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1 As far as participation, Mr. Oskolkoff
2 testified, you know, it's a long way and it is. This
3 isn't -- you know, the federal lands out there. It's
4 not easy to get to. You need a boat to go out to
5 Tustumena Lake. People talk about going in here with
6 horses, but it's not a readily accessible area. Yeah?

7
8 MR. OSKOLKOFF: With regard to that, could you
9 give us a breakdown of -- first of all, an idea of the
10 number of hunters that impacted throughout the year and
11 kind of a breakdown on how they arrive from various
12 sections?

13
14 MR. CHASE: Both the general hunters and the
15 subsistence hunters or...

16
17 MR. OSKOLKOFF: Yes.

18
19 MR. CHASE: Primarily, during the first 10
20 days of the subsistence season, what we found were
21 people scattered around Tustumena Lake as we expected.
22 That's the basic access into the area. That holds
23 with the general hunters as well. This has been a
24 State run permit area. Access to that is typically by
25 horseback into the Tustumena Benchlands area. The land
26 between that lakes up there is what we call that area.
27 Primary access is by horses. The Caribou Hills area
28 has -- traditionally, I guess was probably a lot of
29 horseback access. What's happening now, there's a
30 number of roads, seismic lines, trails that come in
31 here so people can drive in here almost to the refuge
32 boundary and walk in. So we're seeing an increase -- a
33 little bit of an increase in activity down there, both
34 during the subsistence season and the general hunt just
35 because the access from the Sterling Highway into the
36 refuge boundary is being increased. The Benchlands
37 still remains a very remote, very difficult hunt. It's
38 a very labor intensive hunt. Unless you have ten
39 friends, it's real difficult to walk in here and shoot
40 a moose. You can do it but then getting it out is --
41 getting it out is the problem.

42
43 MR. BASNAR: Are aircraft permitted in the
44 refuge for hunting purposes?

45
46 MR. CHASE: Aircraft are permitted in the
47 refuge and there's designated lakes -- landing areas in
48 15B and C and 15A as well. Tustumena Lake, Skilak Lake
49 are open to aircraft landings. There's a number of
50 small lakes over in here that are open (indicating to
51 map). Green Lake here is open for aircraft landings.

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1 Harvey Lake and Twin Lake and Iceberg Lake, I believe,
2 are open for float access. There is no wheeled
3 aircraft access in 15B and C. Is there a strip up
4 there, Ted? Or I don't think we have ...

5
6 MR. SPRAKER: There's one in C on the Sheep
7 Creek

8
9 MR. CHASE: Okay, on Unit C, 15C, we do have
10 this drainage here that you can land a wheeled plane in
11 there on the Braid- -- the Braided River. 15A is --
12 through state regulation -- is closed to moose hunting
13 from aircrafts until September 11th. And then at that
14 time we get quite a bit of use of people flying out to
15 the lakes, camping on the lakes, hunting in the
16 immediate proximity of the lakes out there. And that
17 begins on the 11th and runs through the end of the
18 season.

19
20 MR. OSKOLKOFF: Could you tell me how many
21 people on an average year would be hunting in that area
22 and how many moose they would extract from the entire
23 refuge?

24
25 MR. CHASE: The entire refuge. I'm going to
26 ask Ted for a little help on what the -- we don't have
27 a breakdown of the refuge lands and non-refuge lands
28 exactly. But...

29
30 MR. OSKOLKOFF: Just a rough estimate is fine.
31 MR. CHASE: Rough percentages...

32
33 MR. SPRAKER: As far as all of Unit 15 in an
34 average year, it'd be about 3,000 hunters. And they
35 would take, in an average year, about 550 to 600 bulls.
36 As far as the percentage on the refuge, I don't recall
37 the exact percentage. I know we mentioned this in our
38 February meeting, I looked those percentages up and I
39 don't recall exactly the percentages but the highest
40 percentage is in 15A and 15B since that has most of the
41 refuge land. And then in 15C, it's a fairly small
42 percentage of the harvest because there's very little
43 refuge land in 15C.

44
45 MR. CHASE: And one of the numbers I remember
46 -- it's only about 16 -- I think it was 16 percent of
47 all the moose hunters in 15C utilize the refuge. And
48 up in 15A, it's considerably higher than that and 15B
49 as well because the majority of 15B, with the exception
50 of some of the Coho Loop area and things -- well,
51 that's C, I guess. But the area from the Sterling

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1 Highway to the inlet. Basically all of 15B is refuge.
2 There are some moose taken out on Funny River and
3 stuff but the percentage of hunters and also of moose
4 killed in each unit is fairly high for an on refuge for
5 15A and B, and it's very low for 15C. This area down
6 here is refuge as well, but very low density of moose.
7 There's ice fields and good goat country but no moose,
8 essentially, down in this area.
9
10 The numbers, I think, Gary, exactly, are in
11 the board meeting minutes that was included in the
12 staff analysis with the specific numbers and the
13 breakdown of what the harvest was.
14
15 MR. HENRICHS: Do you have any idea what the
16 early boat season in 15A from August 10th to August
17 17th -- how that -- what the harvest was...
18
19 MR. CHASE: What did we end up with? About
20 five moose or was it...
21
22 MR. SPRAKER: Well, I know of at least five or
23 six. I would guess that there's a few more than that.
24 Typically, you know, they'll take somewhere between a
25 half a dozen and a dozen during that early bow season.
26
27 MR. CHASE: So a small number during the bow
28 season there. And there's not -- we don't run into a
29 lot of people out bow hunting. And that's a 15A hunt
30 only north of the Kenai River. Did you have something
31 else?
32
33 MR. LOHSE: I was going to ask you about
34 mechanical accesses. Some of this is off limits for a
35 mechanical permit but you can use mechanical access at
36 certain times. Some of it you can use all the time.
37
38 MR. CHASE: Over the refuge lands, there are
39 no ATVs. No off road vehicles are allowed on to the
40 refuge at any time.
41
42 MR. LOHSE: At any time.
43
44 MR. CHASE: For any purpose. In Unit 15C, the
45 State has the ATV restrictions on times you can use
46 ATVs for a certain time and then you can't and then you
47 can again. And that's -- what that was, was that over
48 time it separated user groups. People said, you know,
49 we don't want to hunt the same time the four wheelers
50 are in there. There's a window in the middle of the
51 season that allows people to go in and get their meat

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1 so that they don't have to -- we don't have problems
2 with losing meat in the field. And that's in 15C. 15B
3 access -- motorized access by vehicle would be off of
4 Funny River Road and walking.

5
6 And then there's boat access from Skilak Lake
7 and Tustumena Lake for the refuge portions. There are
8 a few people who hunt this edge of the refuge here from
9 walking in off the Sterling Highway. For the most part
10 it's -- 15B is horse access, as is 15C with the
11 exception of ATVs and four wheel drive access to this
12 portion. In 15A we have roads -- Mystery Creek Road
13 out through here is motorized vehicle access. Swanson
14 River and Swan Lake roads out to the oil field is
15 motorized highway vehicle access. And then we have the
16 aircraft access after September 11th, so. The Kenai
17 regulations over time have kind of evolved into ...

18
19 CHAIRMAN EWAN: I have a question about that
20 September 11th date. Is there a reason why -- that
21 date?

22
23 MR. CHASE: What -- the Kenai regulations,
24 basically over time, whether they are hunting
25 regulations or trapping or access or anything else,
26 it's kind of evolved into something for everyone over
27 time. And the aircraft restriction on September 11th,
28 it was a way that the -- to basically separate users.
29 People that walked, canoed in. How long has that been
30 in effect, Ted, do you...

31
32 MR. SPRAKER: Yeah, I don't know. I've looked
33 -- I've tried to find that date. I can't find it but
34 it's the early '70s at least. Maybe even the late
35 '60s. And the reason it was put in -- it was basically
36 a request from the public to split user types or
37 methods of transportation where the walk-in hunter --
38 because 15A has good access -- road access, where the
39 walk-in hunters would have the first chance and then
40 the aircraft hunters would have the second half of the
41 season.

42
43 CHAIRMAN EWAN: Okay. Lee.

44
45 MR. BASNAR: Yeah, from a subsistence point of
46 view, it doesn't seem like many subsistence moose were
47 taken with the special season -- 10 days ahead of time
48 -- ahead of the regular hunters in the special area
49 around Skilak Loop. It just doesn't seem like there
50 were many -- what, zero at Skilak Loop and one taken in
51 the other one? Is that the correct figure?

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1
2 MR. CHASE: That's -- I think that's the
3 information we've got back to this point. Two...

4
5 MR. BASNAR: Well, then what -- what's the
6 problem?

7
8 MR. MARSHALL: Two, counting an illegal moose.

9
10 MR. CHASE: Right, one that was taken outside
11 of the -- the...

12
13 MR. BASNAR: What's the problem? Why weren't
14 more moose taken?

15
16 MR. CHASE: Well, there's a couple things.
17 One thing that really -- that I noticed issuing
18 permits, there was a number of people with their
19 lifetime hunting license. And the requirement for that
20 is what age?

21
22 MR. SPRAKER: 60.

23
24 MR. CHASE: 60. And there was a high percent-
25 age of people with those lifetime hunting license --
26 elderly people. And the access into these areas is not
27 easy. And it's difficult by anyone's standards. The
28 horse access into here, you get into expense. It's an
29 expensive hunt to get in there if you have to get
30 somebody to take you in. You heard people testify last
31 night that it's not cheap to keep horses and it's not
32 cheap to have people take you in there. So the
33 participation level there -- other than the boating
34 access around Tustumena Lake, I think, for the 10-day
35 headstart, it was rather low. The Skilak hunt
36 participation seemed low as well and I'm not sure
37 exactly as to why. But there was -- we
38 encountered two hunters. And that -- you know, there
39 could have been more out there.

40
41 The other thing that may happen is if we have
42 people with a subsistence permit and then kill the
43 moose after August 20th, it may come out under the
44 state harvest ticket. And so you've got -- basically,
45 someone with a federal subsistence permit could hunt
46 here August 10th through the 19th and once the 20th
47 came around, they could hunt here or here. If a moose
48 is taken here it will show up in the state general hunt
49 harvest. If it was taken in here after the 20th, it
50 may show up in either one.

51
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1 MR. BASNAR: Yeah, but the point was to get
2 some special considerations so that they'll be able to
3 get some moose. And, you know, if they don't get them
4 until after August 20th then the special season didn't
5 amount to anything. Gary, can you speak to that? You
6 know, you're the guy that hunts down here.

7
8 MR. OSKOLKOFF: Well, and I did go hunting. I
9 brought my state mail-in permit. I tried to get the
10 other ones off as timely as possible. You can see from
11 what's been explained so far is that, essentially, most
12 of the wildlife refuge is an expensive hunt. The
13 access to it is limited. You are pretty much precluded
14 from a good deal of the area without a vast percentage
15 of exertion over the average person if you don't own
16 horses. if you don't own four wheelers, if you don't
17 own a boat and you don't own a plane. You can see
18 that, as was described, that each one of these things
19 are kind of given a place to themselves and a time to
20 themselves to pretty much participate.

21
22 With regard to 15A and the hunt, there was a
23 curve ball thrown to us -- to the council, speaking
24 from the Traditional Council's point of view at this
25 time. After this whole issue was negotiated and the
26 question of getting a judge's order to allow any bow
27 hunting or to open up 15A -- in regard from leaving
28 that off the table, that's when basically the 20
29 permits came in. We were told the two people that were
30 encountered in that run-in with the law, as my brother
31 liked to describe it, were my older brother Bruce and
32 my brother-in-law, Jack Kasnikoff, Junior, a member of
33 our council. And what we found out is that during that
34 exchange with the gentleman was there is that basically
35 what was said is well, the moose really aren't here
36 yet. I mean, there are here but there not here in any
37 number. And so their observance of fresh moose sign
38 and what-not were absolutely minimal. From what I
39 understand, that's more of a later season or more of a
40 wintering area.

41
42 But the curve ball that we were thrown was the
43 fact that there was a limitation thrown in at the last
44 minute which is a constant limitation in other seasons
45 we weren't made aware of, which kept you from hunting
46 within a good quarter-mile of the road and I think half
47 a mile of any park that's out there. It's a very small
48 area. And with those kind of limitations, it meant
49 that those people who we wanted to and did give the
50 permits to -- basically the elders, which is what we
51 requested in the first place had no chance of

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1 participating in the hunt other than -- essentially as
 2 observers. You know, their ability to get out and pack
 3 around off that road was limited. So that had a lot of
 4 bearing on that. So it really is -- right now, the
 5 entire moose range is more of, kind of a guided
 6 specialized -- kind of more of a doctors and lawyers
 7 playground, more or less is as we used to term it when
 8 I was a kid. Those people who can afford a plane can
 9 go in on that season. Those people who can afford
 10 horses and keep them year-round for that purpose would
 11 have it. Otherwise, you're going in to rent them or
 12 going on a guided trip and what-not. And there's a lot
 13 of money spent on that so...

14
 15 The other reasons -- there are a variety of
 16 other reasons but the one main one that comes into play
 17 is confusion over this whole thing. I think a lot of
 18 people didn't participate and they, even upon getting a
 19 permit, didn't participate for fear of retribution in
 20 some form or another as was stated earlier in many of
 21 the other meetings that we had. So I think -- there
 22 are a variety of other things that came into it. But
 23 one thing for sure that definitely stalled people was
 24 the lateness of the determination of the season. By
 25 the time they got around to actually getting this thing
 26 out to the very day of the 10-day headstart, supposed-
 27 ly, there were people completely unaware as to exactly
 28 how that was supposed to take place, you know, where it
 29 was; who could participate. Some people still believed
 30 it was a Native only hunt. A variety of different
 31 things. So I think, really, people kind of just
 32 stepped back from it for a while. And I think there
 33 was some disenchantment similar to what was mentioned
 34 earlier with the spike-fork 50 when it first came in,
 35 how it disenchanted people and took a while for people
 36 to get used to it.

37
 38 MR. BASNAR: Well, it seems to me like we
 39 spend a lot of time and money and words on this
 40 particular issue with damn few results. Have you got
 41 some kind of a different approach?

42
 43 MR. OSKOLKOFF: We're the -- from the
 44 council's perspective -- the Traditional Council's
 45 perspective, we're hoping to make some changes to the
 46 existing hunting season that will allow for a more
 47 reasonable hunt. First of all the 10 days previous is
 48 a nice jump. Probably it would have been good had
 49 people been aware of it. Been able to prepare for it.
 50 Get whatever gear they needed to and those kinds of
 51 things and get out into the area. That probably would

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1 have been somewhat more successful. But I also believe
 2 that right about now is the ideal time to be hunting in
 3 this area. I know there are some that questioned --
 4 when I brought up the original proposal which had a
 5 10- day hunt after the existing season between the
 6 September 20th and 30th -- whether that would interfere
 7 with the rut or not. So far, from what I've seen, yes,
 8 you do have a slightly greater chance of taking a bull
 9 in rut, but only a slightly greater chance. And with
 10 the qualifications that have been mentioned and
 11 allotted in the past of the hunters in the area, I
 12 don't think that would be any type of problem. But
 13 those things are being looked into and hopefully
 14 they'll be in the moose proposal that we see before the
 15 end of October.

16
 17 MR. BASNAR: Like you say, the word didn't get
 18 out. And I guess I don't understand, if you're on the
 19 council, why didn't the word get out? I mean,
 20 Ninilchik isn't that big. Why didn't the word get out
 21 to the Traditional Council members that were eligible
 22 for the hunt?

23
 24 MR. OSKOLKOFF: The timing was simply too
 25 close to when the season actually occurred. You've got
 26 to remember that even during the season itself,
 27 litigation -- and to this very day -- is still brewing.
 28 There was the settlement of the 15A question and the
 29 antler size restrictions that were still going on. And
 30 too, at that time it was felt that making a huge effort
 31 to get this information out would have been -- would
 32 have been...

33
 34 CHAIRMAN EWAN: I don't know where this is
 35 leading, but...

36
 37 MR. OSKOLKOFF: ...more or less a waste of
 38 time.

39
 40 CHAIRMAN EWAN: ...I think we're getting off
 41 track. If you want to talk about that special hunt,
 42 that should be on special item. Have any more
 43 questions of...

44
 45 MR. LOHSE: I just had one comment. After
 46 having to ride down the Kenai and seeing how big it is,
 47 I can understand the problem with access because it's
 48 so far back in. But at the same time, because it is
 49 that way, that would be the closest thing to a
 50 traditional subsistence hunt that I could think of.
 51 ~~You know, because it's actually it seems like it~~

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1 does cut people out that don't want to take the time to
2 go hunting. I mean, it sounds to me like you have to
3 take some time -- you have to have time to go hunting
4 there.

5
6 MR. CHASE: No doubt about it. It's a
7 wilderness experience.

8
9 MR. LOHSE: And since, basically, everybody
10 has to go in on foot or with horses or whatever, but to
11 a large extent, it basically is, I mean, everybody is
12 kind of limited to how they can hunt there.

13
14 MR. CHASE: Right. Yeah. The terrain itself
15 is limiting.

16
17 MR. LOHSE: It's not a quick easy hunt, in
18 other words.

19
20 MR. CHASE: No.

21
22 CHAIRMAN EWAN: Gary.

23
24 MR. OSKOLKOFF: Are guides required to have a
25 permit specifically for the national wildlife refuge on
26 the Peninsula?

27
28 MR. CHASE: Yes. Yeah, all commercial users
29 on the national wildlife refuge have to have a special
30 use permit. Whether they're guiding hunters, guiding
31 fishermen, harvesting mushrooms for commercial sale.
32 Any commercial activity on a refuge requires a permit.

33
34 MR. OSKOLKOFF: How many of those permits were
35 issued?

36
37 MR. CHASE: There's four permits out now for
38 big game guiding activities on the Peninsula. And a
39 few years ago the Fish and Wildlife Service totally
40 revamped how those permits were allocated based on the
41 State/Owsichuk (ph) decision that ruled that the
42 exclusive guide areas were not consistent with the
43 State Constitution. And basically we have a prospectus
44 that we solicit proposals. Guides submit proposals of
45 how they're going to operate, how many clients they're
46 going to take, how many moose they want. Different
47 things. We rank those proposals and the highest
48 ranking individual is given the opportunity to get
49 permit. And those are five-year permits. There's talk
50 right now that they will be renewable for an additional
51 five years. And they periodically areas are vacated

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1 and they're recomputed. That's a consistent process
2 statewide on all national wildlife refuges.

3
4 MR. OSKOLKOFF: Do they have to pay for these
5 permits?

6
7 MR. CHASE: They have to pay for it. There's
8 an administrative fee that they pay at the beginning.
9 It's \$100 and then they have to pay a user bay fee.
10 And if they take people in to brown bear hunt, they
11 have to pay more than if they take somebody in to
12 photograph wildflowers or fish. And there's a
13 schedule, it's very similar to the park service system,
14 based on what activities those people are engaged in
15 and then they pay the federal government following each
16 season of use.

17
18 MR. OSKOLKOFF: How many total clients are
19 taken out in an average year?

20
21 MR. CHASE: I would say, specifically for a
22 moose, between the four guides. I don't know that
23 there's -- I don't have a good handle on it. Maybe a
24 dozen, maybe 20. I don't think there's a lot. There's
25 a number of guides that take in sheep hunters -- of the
26 same guides, but they take in sheep hunters, goat
27 hunters, things that are traditionally a little bit
28 harder to get. We also have packers that operate -- a
29 number of the inn holders on the north shore Tustumena
30 Lake, they have permits to pack people in and pack
31 people out. They have horses. They'll pack in your
32 camp, drop you off, come back in a week and pack out
33 your camp and your moose. And they also need permits.
34 But they're not doing guiding per se. They don't go
35 with you in the field and say, "Hey, shoot that one,"
36 and take care of it for you. They take you out there,
37 you're on your own, and they come get you and bring you
38 out.

39
40 MR. OSKOLKOFF: How many of these packers are
41 they?

42
43 MR. CHASE: Oh, there's roughly half a dozen
44 there. And then there's a number of air transporters,
45 basically, do the same thing. They need a permit as
46 well. Kenai Air. If they're going to fly somebody out
47 on the refuge to hunt, they fly them out, drop them
48 off, come back in a week and pick them up and take them
49 out. They're also required to have a permit.

50
51 MR. OSKOLKOFF: It sounds like there's quite a

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1 bit of commercial activity actually involved in this
2 then.

3
4 MR. CHASE: The Kenai Refuge compared to other
5 refuges in the state, really not. For the population
6 center, there's really not a great deal because the
7 guide area over time have become less desirable because
8 of the pressure from the remainder of the general
9 public. And so people for the most part are not paying
10 a guide to take them out to get their moose. They're
11 local residents that are going out after work or on the
12 weekend and -- to get their moose.

13
14 MR. ROMIG: How many people apply for those?
15 I mean, you're giving them to four individuals and how
16 many people apply for those permits?

17
18 MR. CHASE: It's real variable. The last time
19 we did it -- the first time was 1993. And I think most
20 of the areas -- I think we just have one applicant in
21 several of the areas. And then one of the areas we did
22 have three or four that applied for that particular
23 guide area. Some of the other parts of the state, some
24 Kodiak brown bear areas will get upwards of 30 or 40.
25 An Alaska Peninsula good brown bear, moose, caribou
26 area might have 40 or 50 people apply for those areas.

27
28 MR. ROMIG: And with the fisheries on the
29 upper river, I know there's a limited amount of people
30 that have a particular -- is there a big interest for
31 those too?

32
33 MR. CHASE: There is a big interest for those.
34 We have two user groups on the upper river that are
35 permanent. There's commercial float non-fishing trips
36 and there are guided fishing trips. They all require a
37 permit. We don't have a limit on non-fishing trips.
38 If somebody wants to come in and get a permit to take
39 people down the river to look at eagles, just to float
40 and see the scenery, we issue -- those are unlimited
41 number of permits. But for the fishing guides that was
42 capped, there was a moratorium placed on that a number
43 of years ago at 20. And there's a waiting list, as one
44 becomes vacant, we'll take the next person off the list
45 and offer them a permit. The plans for that permit
46 system, that will go the same way as the big game guide
47 permit system sometime in the future. It will solicit
48 proposals from people, they'll be ranked out and we'll
49 issue permits to a certain number of individuals.

50
51 ~~CHAIRMAN EWAN: I didn't catch the number of~~

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1 game permits.
2
3 MR. CHASE: Fishing guides?
4
5 CHAIRMAN EWAN: Game. The game.
6
7 MR. CHASE: There's four...
8
9 CHAIRMAN EWAN: Four.
10
11 MR. CHASE: ...big game guides. And there's
12 20 commercial fishing guides. And they're operating
13 mostly on both forest service and national wildlife
14 refuge, primarily from Kenai Lake to Skilak Lake.
15
16 CHAIRMAN EWAN: Any other questions?
17
18 MR. OSKOLKOFF: With regard to motorized
19 access, I'm talking about wheeled vehicle, I was to
20 understand from the testimony last night that there's a
21 certain period of time at which people can access the
22 wildlife refuge...
23
24 MR. CHASE: No.
25
26 MR. OSKOLKOFF: ...with a motorized vehicle?
27
28 MR. CHASE: No. Not an off-road -- ATV?
29
30 MR. OSKOLKOFF: Yeah.
31
32 MR. CHASE: 15C -- there's a state regulation,
33 a controlled use area in 15C, that allows you to go in
34 on -- what are the dates?
35
36 MR. SPRAKER: You can go in until the 10th of
37 September and then there's a four-day closure and then
38 you can go in on the 15th and 16th and then there's
39 another four-day closure and then you come after the
40 season closes, camp (ph) needs, whatever.
41
42 MR. CHASE: But regardless if whether that's
43 open or not, you have to stop at the refuge boundary.
44
45 MR. OSKOLKOFF: One more question and I doubt
46 you're ready to supply the answers right now. But I
47 would ask that by our next meeting if we could get some
48 kind of information in regard to the commercial
49 activity, the permit fees, the dollars, basically,
50 generated by use here, and some idea of the amount of
51 business done by these individuals in dollars, I would

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1 sure appreciate it.

2
3 MR. CHASE: Okay, yeah, that should be not
4 very difficult to get. We periodically get requests
5 from Congress along the same lines. And so we should
6 be able to amass that fairly easily. There is a study
7 being done on the refuge right now that is just -- the
8 economic value of the Kenai National Wildlife Refuge.
9 It's part of a bigger study for the refuge system
10 across the country. But they're looking at -- they're
11 looking at everything. They're looking at, okay,
12 there's X number of sockeye salmon produced on the
13 refuge and they generate this many dollars in the
14 community and people sell this much tackle because of
15 it. And they're looking at everything. The total
16 dollar value of this wildlife refuge to the community.
17 So that will be a -- that will be an interesting study
18 when it comes out.

19
20 MR. ROMIG: I guess what I would be interested
21 in, too, is there any way that you can say that the
22 people that people that have these permits -- are they
23 just up here for that particular reason or are they
24 actually -- live in the state and intend to stay in the
25 state? Or are they just doing a commercial activity
26 and basically all that money is leaving the state
27 anyway?

28
29 MR. CHASE: The commercial fishing permits are
30 some of both. There are -- a number of them are Alaska
31 residents. The facilities that you see along -- right
32 along the Kenai River, most of them are permitted with
33 the refuge. They're, for the most part, Alaskans.
34 Stay here. I don't have a number of like 12 and 8, but
35 there are some that come up here for the summer,
36 conduct their business and leave.

37
38 CHAIRMAN EWAN: Back to the -- are you done?

39
40 MR. ROMIG: Yeah.

41
42 CHAIRMAN EWAN: Okay. Back to the game
43 guiding permits. Four -- is that what you feel is what
44 the refuge there can stand? Or what? I mean, how do
45 you come up with four?

46
47 MR. CHASE: Well, originally in 1992, we
48 redrew the guide areas for the state. The state was
49 going through the same process at the time. Trying to
50 implement something that was consistent with the
51 Owsichuk court decision that would also meet the

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1 federal requirements. The things that we wanted to see
2 in the program. And the State redefined -- they
3 defined -- I think they called them UCUs for drainages
4 in different areas in the state. Then we amassed those
5 and said, if a guide were to operate in this area, he
6 could make a living using this real estate. And we
7 identified the areas like that. I have not been very
8 personally involved with that on the Kenai simply
9 because there's -- we have a person on our staff who
10 works with that almost full time. And I don't have the
11 time to be involved in it day to day. Those can be
12 revisited over time. I know in a few occasions we
13 said, well, this will be -- we'll just issue one permit
14 for some area and then we've gone back over time and
15 the guy says, "Well, I'm not using very much." You
16 know, we can probably have somebody else and then we'll
17 go in and add another one. Or if we issued two to
18 begin with and one of those individuals drops out for
19 whatever reason we may say, "Yeah, we need to rethink
20 that. We probably should have just issued one."

21
22 CHAIRMAN EWAN: I guess my real question is,
23 there could be more, right?
24

25 MR. CHASE: There could be more. I don't
26 foresee it. I think that's unlikely that there would
27 be more big game guides operating on the Kenai. And
28 that's basically -- we have a set of -- a process for
29 doing that, that are based in regulation. But the
30 guide areas themselves are drawn out, essentially, in
31 house in our service.
32

33 CHAIRMAN EWAN: Okay. Any other thought? If
34 not, thank you. John, do you have...
35

36 MR. MORRISON: I just wanted to add comment to
37 Mark's discussion on the selection of the number of
38 guides to operate there. The Fish and Game Department
39 was heavily involved in that episode, as he pointed
40 out. And one of the major concerns was to adjust the
41 number of guiding operations to the wildlife popu-
42 lation, the big game population especially, so that
43 there was no danger of overharvest from excessive
44 amount of guided hunting in addition to -- which is
45 mostly for non-resident hunters -- have that added on
46 to what is done by residents or/and subsistence
47 hunters. Our professional advice was sought and asked
48 wherein -- so far as what did we think as a suitable
49 number of guiding operations for a given area and a
50 given population. So that all over the state, we would
51 make recommendations on what we thought would be

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1 feasible. And as you pointed out, we based our
2 recommendations on subdivisions of the game management
3 units. They are already divided up into smaller units,
4 according to drainages.

5
6 The UCU designation stands for Uniform Coding
7 Unit, which means that in the computer records of
8 harvest and population counts and so forth, each one of
9 those UCUs contains the data for that particular area.

10 We recommended that the guide areas be formed out of
11 those UCUs so that the harvest information and other
12 information that they produce would fit right into the
13 overall system. But at the same time we recognized
14 that the landowners -- land managers had their own
15 needs, their own administrative needs for handling this
16 so a lot of those boundaries for the guide areas were
17 designed with a lot of input from the refuges, the
18 national forest -- BLM and whatever, to accommodate
19 their needs. And that created some degree of adjust-
20 ment that (indiscernible - away from mike) where those
21 boundaries were finally settled. What the overriding
22 point is, is that the number of guides we looked at
23 very closely to make sure that we didn't get too many
24 in any given area.

25
26 CHAIRMAN EWAN: Okay. Thank you.

27
28 MR. CHASE: I might -- I'd like to -- the
29 discussion earlier on the role of biologists and things
30 was of great interest to myself and I'd like to say a
31 couple of things along those lines. It may spur some
32 more questions. I realize that this board -- this
33 council is tasked with implementation of Title 8 of
34 ANILCA. And I've seen that everyone on this board
35 takes that very seriously and I respect and appreciate
36 that. From my standpoint as the manager of the refuge,
37 I have a number of documents, pieces of legislation,
38 things that must be considered in the overall manage-
39 ment of everything from oil and gas drilling on the
40 refuge to somebody catching fish. Anything -- as far
41 as our role -- anything that this council generates,
42 the big standard is compatible with the refuges
43 purposes as defined in ANILCA, then that is something
44 that I can support and work with this council on.
45 Things that do not fall under those lines, I have no
46 other choice but to elevate my concerns contrary to
47 your wishes on a particular proposal.

48
49 And that's -- you know, those are things that
50 the board weighs. The refuge manager says this; the
51 ~~council says this; the public say this. And it's up~~

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1 for them to decide. I don't think it -- you know, I
 2 don't want it to be an adversarial role. I think you
 3 have specific tasks that you take very seriously; I
 4 have specific responsibilities that I take very
 5 seriously. And, you know, the more we can work
 6 together in information exchange and things, I think
 7 that the better off we're both going to be, the easier
 8 it's going to be for both of us, and so. Did that
 9 spark any new discussion or...

10
 11 CHAIRMAN EWAN: No, I think we talked that out
 12 earlier.

13
 14 MR. CHASE: No. Okay.

15
 16 CHAIRMAN EWAN: Thank you.

17
 18 MR. CHASE: Thank you.

19
 20 CHAIRMAN EWAN: Okay, five-minute break.

21
 22 (Off record - 3:44 p.m.)

23 (On record - 4:00 p.m.)

24
 25 CHAIRMAN EWAN: I call the meeting back to
 26 order. I guess Ted Spraker wanted to make his report
 27 now if it's okay with you people. Order of Business.
 28 He would like to be moved up to this spot because it
 29 would follow Kenai National Wildlife Refuge and some of
 30 the things that were talked about.

31
 32 MR. SPRAKER: I'll talk real fast. Mr.
 33 Chairman, thank you very much for moving me up. My
 34 name is Ted Spraker, I'm the area wildlife biologist
 35 for the Alaska Department of Fish and Game. The reason
 36 I thought it'd be appropriate to speak following Mr.
 37 Chase is that he covered basically every item that I
 38 had on my little list here.

39
 40 There are a couple things I'd like to mention.
 41 I know a lot of people are concerned about what
 42 happened last fall during the hunting season. I can
 43 tell you that it wasn't really surprising as far as the
 44 general hunt on the Kenai, at least to the department,
 45 because of several things. We discussed these things
 46 at the July meeting when we pointed out that because of
 47 last year's very severe winter and high mortality rate
 48 -- you may recall that I mentioned we picked up about
 49 270 moose that died last year during the winter due to
 50 starvation. But because of that high winter mortality
 51 rate and because and this year, and this fall,

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1 because of the very poor hunting conditions as you can
2 see today and this is pretty much what we were faced
3 throughout most of the hunting season this year. I
4 think the effort was much lower and although people may
5 have gone afield, it sure dampens my spirits, and I'm
6 sure most hunters feel the same way, after a couple of
7 days being soaked in camp, you're not too willing to
8 jump up, pour a cup of hot coffee, put those wet
9 coveralls on again and go at it for another day.

10
11 And the other thing is, and I'm sure you know
12 this, is during these real heavy raining periods, game
13 really doesn't move very much. The only thing that
14 I've ever found that moves very much in the rain is
15 brown bears, which also complicates your moose hunting.

16 But because of those two elements, it wasn't
17 surprising that the reports so far have been pretty
18 grim. Last year we had a harvest on the Kenai
19 Peninsula of 656 bulls. This is just the general
20 season, not the permit hunts. This year we're
21 predicting or, kind of, speculating that the harvest
22 will come in somewhere around 400 -- maybe 450 animals
23 total because of those two reasons.

24
25 Another thing that was discussed earlier was
26 some comments about the Skilak Loop and the hunting
27 program there, management objectives and so forth, and
28 the difficulty in hunting moose in Skilak Loop. And
29 first I'd like to say that we have had a management
30 program with the Fish and Wildlife Service there since
31 the late 1980s. And we have a management objective to
32 maintain about 130 countable moose in Skilak Loop.
33 Last year I was able to count Skilak Loop under some of
34 the best conditions I've ever had because we had good
35 snow. Leaf fall was early or, at least, normal. And
36 good snow conditions, good counting conditions. And in
37 a portion of the Loop -- I didn't even complete the
38 whole thing -- I counted 187 moose. So we had a good
39 count last year. It's the highest count we've had
40 since about the mid '80s. And that's why we increased
41 the number of permits.

42
43 But I can also tell you something else about
44 Skilak Loop from a personal standpoint because I've
45 gone with permit holders on three different occasions
46 over the last couple years. One of the things that
47 occurs in Skilak Loop is that during the late part of
48 September when the hunt is normally held, the moose
49 start to group up. These are harem breeders and they
50 start to group up and it's common to see cows with
51 calves and smaller bulls. But sometimes it's difficult

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1 to find single cows. And I'll give you an exact
 2 experience here. A few days ago I was out in Skilak
 3 Loop with a friend of mine's son. His son had a permit
 4 for a cow and we hunted two mornings. And in those two
 5 mornings we saw one cow and a calf and seven bulls.
 6 Last year -- a couple years -- no, last year I hunted
 7 it with a friend of mine that had a permit and the
 8 same situation. We saw a couple young bulls, a couple
 9 cows with calves, and this hunter was able to take a
 10 yearling cow the first day. A couple years ago I did
 11 the same thing. We hunted one morning, saw several
 12 cows with calves, a couple bulls -- one great big bull
 13 that we called and looked at for a while. And finally
 14 this young gal killed an 18-year-old cow. I mean, she
 15 hasn't had a calf in recent history. And if anybody
 16 needs any moose meat, we still got quite a bit of that
 17 around. Unfortunately, they shared part of that with
 18 me and I still have some of it.

19
 20 But the point I want to make is that Skilak
 21 Loop is 68 square miles. It's rehabbed -- about five
 22 square miles has been rehabbed. And the result of that
 23 crushing and burning done by the Department of U.S.
 24 Fish and Wildlife Service, the birch and the willow is
 25 over your head. In fact, now guys are using step
 26 ladders to hunt in Skilak Loop because you just cannot
 27 see. The other thing that you're confronted with in
 28 Skilak Loop is that it's some of the densest country
 29 that you're going to hunt in. The timber -- there's
 30 mature timber, there's some 47 burn and it's a very
 31 difficult place to hunt. And I'll tell you, 187 or so
 32 moose in a 68 square mile area, well, you know, those
 33 moose can get spread pretty thin. And it's a difficult
 34 place to hunt. It takes a lot of time and a lot of
 35 patience and usually hunters do better by still
 36 hunting, go in a ways and just sit and watch a lake or
 37 a swamp or something for an evening or early morning
 38 hunt.

39
 40 Mr. Chairman, I really don't have a lot to
 41 add. Mark Chase did an excellent job of covering a lot
 42 of things that we jointly work on on the refuge and the
 43 state lands. I'd certainly try to answer any questions
 44 if anybody has any. But -- excuse me -- before I do
 45 that, one of the things that I'd like to mention, and
 46 this, kind of, goes back to the role of the wildlife
 47 biologist in this program. With the exception of Mr.
 48 Romig, I have not had any contact with this council,
 49 you know, since I've been involved in it. And I'm not
 50 saying that to criticize anybody, I'm saying that to
 51 mention that you know, we have a lot of information

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1 available. You know, any time I get a chance to talk
2 about moose and biology and so forth, that's one of the
3 things I've been doing for years and, you know, I enjoy
4 doing.

5
6 And I would really encourage you to work with
7 us and I'll extend myself as far as I possibly can to
8 help you to draft some of these proposals and I'll give
9 you my honest input and I'll give you what I think the
10 resource can stand or cannot stand and I'll be very
11 straightforward about it. And I know that there was a
12 lot of speculation made as to what was going to occur
13 this year and I'll be the first to admit I was
14 astounded when 120 permits resulted in a harvest of two
15 moose, especially early in the season. I mean, there's
16 certainly difficulty to get into some of these areas,
17 but I expected to see a much higher harvest, especially
18 on hunters that had the first opportunity to hunt. And
19 I terribly misjudged what hunters would have -- you
20 know, should have taken. But as far as for speculation
21 and so forth, we give it our best professional opinion
22 and we're usually conservative. If we're guilty of
23 anything, we're probably guilty of being conservative
24 in trying not to make any mistakes that would turn into
25 a conservation issue further down the road. But with
26 that, I'm willing to work with you and I'd like to work
27 with you and just give me a shout anytime.

28
29 Any questions? I'll give it a try.

30
31 CHAIRMAN EWAN: Go ahead, Ralph.

32
33 MR. LOHSE: Ted, could you explain to me how
34 -- how many permits were issued for the bow and arrow
35 hunt? Or is that a permit hunt or just an open hunt?

36
37 MR. SPRAKER: The early bow and arrow...

38
39 MR. LOHSE: The early bow hunt. The early bow
40 hunt.

41
42 MR. SPRAKER: ...archery season. That's an
43 open season. There's no permits, no registration...

44
45 MR. LOHSE: No registration though. So you
46 have no idea how many people are involved in it then?

47
48 MR. SPRAKER: We have an estimate of probably
49 about 200, maybe 250. The only requirement is that an
50 archer has to pass the International Bow Hunter
51 Educational Program. It's a hunter education course.

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1 And there's a proficiency test.

2
3 MR. LOHSE: As part of that.

4
5 MR. SPRAKER: As part of that written test and
6 proficiency test. But there's probably a couple
7 hundred hunters that participate. It's an open -- wide
8 open hunt.

9
10 MR. LOHSE: So basically, we had a couple
11 hundred hunters involved in the same time period as the
12 subsistence hunt. And that couple hundred hunters came
13 up with six to a dozen moose.

14
15 MR. SPRAKER: That's correct. In fact the
16 highest -- when this started in 1989, we didn't require
17 the proficiency test. And at that time we probably had
18 three or 400 hunters. I know Pay-n-Save was out of
19 arrows, bows, field tips, broad heads. You couldn't
20 buy an arrow in town the night before the season
21 started. But even in that year, the highest reported
22 harvest was 18. That's 18 taken in a five-day season
23 only in 15A.

24
25 MR. LOHSE: Is the access so much easier in
26 15A or why would the 200 and some people with bow and
27 arrows end up outdoing 120 people with guns?

28
29 MR. SPRAKER: I think it's -- it's not an
30 access problem in 15A. I think it's effort. You know,
31 I think it's just purely effort. I think if people
32 allowed to hunt with rifles hunted, you know, hard
33 during that 10-day season, you know, I'll be honest, I
34 think they should have killed a moose. You know, I
35 hunted during the archery season and I saw several
36 bulls. And if I was a better shot, I would have been
37 successful early in the archery season. But I chose
38 not to shoot because I'm just not a very good shot at
39 30 yards. But I saw several bulls. But those were not
40 bulls on the refuge. Those were bulls that were off
41 the refuge. They would not have been available to the
42 subsistence hunters. Subsistence hunters would have to
43 put in quite an effort to get to the hunting in 15C.
44 There's no question about that. They would have to
45 have equipment to get into some of these areas. It's
46 just too far to walk. I mean, a person is not going to
47 hunt this country on foot. But there's another place
48 to hunt and this is the Funny River Road. There's good
49 access there. It's another place I've hunted quite a
50 few different years and there's a lot of moose taken
51 there each year. And that's where I expected in

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1 fact, Gary and I discussed that when this came up. You
2 know, I thought that would be the place people would
3 hunt and I was surprised they didn't hunt there because
4 that does provide good access -- road access.
5

6 MR. LOHSE: Are they many taken right out of
7 boats off shore? I mean, you see the big lakes that
8 are in there and you're allowed to use motorized boats
9 on those lakes. Are there many moose taken, I mean, is
10 that a rare occasion for somebody to take a moose out
11 of a boat?
12

13 MR. SPRAKER: It's rare; it's extremely rare.
14 I can't recall a moose ever being taken along the
15 shoreline -- south shoreline of Skilak Loop in that
16 permit area. And I've been here since '78. And I
17 can't recall one case. In fact, I've looked at that
18 and there isn't a case on the records. As far as moose
19 being taken along Skilak, along the lake, they do
20 occasionally take bulls there but boy, they are rare.
21 It's extremely dense vegetation plus the moose are
22 usually up at higher elevation early in the year.
23

24 Excuse me. That brings up another thought
25 about Skilak Loop. You mentioned that one of the
26 technicians or biologists from Fish and Wildlife
27 Service mentioned that the moose hadn't moved into
28 Skilak Loop yet. Actually, they don't really move into
29 Skilak Loop until probably late November or early
30 December as they move on to their winter range. That's
31 a known wintering area. The moose population will
32 increase by mid to late January in Skilak Loop. But
33 there's no noticeable movement during September, except
34 for some movement with the rut. Yes, sir?
35

36 MR. LOHSE: Well then, are these moose that
37 you're talking about in the Skilak Loop, you feel that
38 you had 180 like resident moose in there...
39

40 MR. SPRAKER: Yes.
41

42 MR. LOHSE: ...and then you have an increase
43 for the winter.
44

45 MR. SPRAKER: Yes.
46

47 MR. LOHSE: So it's not a case that there
48 aren't any moose in there. It's just that more of them
49 move down for winter range but X amount of them stay
50 there year round.
51

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1 MR. SPRAKER: That's correct. And that's why
2 we manage it to harvest the resident moose, to make
3 sure the resident population that stays there year
4 round doesn't get too high and over-utilize the browse
5 that's been created.
6

7 MR. ROMIG: Ted, I had a question about the
8 bow hunt in particular. Of course, we'd heard a lot of
9 testimony about, you know, equal -- everybody wants
10 equal this, equal that. And there's obviously some
11 real proficient bow hunters out there. You know, what
12 would it cost a normal individual to go out and outfit
13 himself to participate in this particular hunt which I
14 would see, kind of, as a specialized hunt that occurs
15 at the same time that the subsistence occurs, which,
16 you know, created a lot of friction and, you know,
17 actually only harvested one moose or two moose. And
18 you've got a bow hunt that starts at the same time and
19 they take more moose. It, kind of, escapes me the
20 reasoning behind some of the -- that people give for,
21 you know, equal treatment and then nothing's ever said
22 about the bow hunt going out early.
23

24 MR. SPRAKER: To outfit yourself -- boy, I
25 don't know. I can tell you what I paid. It wasn't a
26 lot. You know, for a couple hundred bucks you can buy
27 a decent -- I bought a used bow. You know, a couple
28 hundred bucks you can get a used bow -- good one, and
29 arrows and so forth. I don't think the expense would
30 be that high. Another thing you need to keep in mind
31 is that 15A was not open for the subsistence hunt so
32 there was no competition there. Had there been
33 competition, I think there would have been, you know, a
34 serious look at whether or not the board should author-
35 ize that bow season because of your concerns. Okay.
36 Thank you very much.
37

38 CHAIRMAN EWAN: Thank you. All right. Now
39 BLM.
40

41 MR. COFFEEN: My name's Mike Coffeen and I'm
42 the district biologist with the BLM out in Glennallen.
43 I've put on your notebooks a short report from the
44 subsistence program out there. The BLM's -- this is
45 the sixth year of the subsistence program out there in
46 Glennallen. So far, we're issuing caribou permits --
47 we have been up until just recently. The moose, of
48 course, closed on the 20th out there. We issued, I
49 couldn't believe it, but an even 500 moose permits out
50 there. We've issued a total of 1,416 caribou permits
51 so far. Now that's two per person. The moose is one

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1 per household. So that's only 708 people that have
2 come in. But when you consider we've got about 3,000
3 in the basin out there -- in the 40 square miles,
4 that's a fair number of people.

5
6 Again, the season will restart on caribou --
7 federal subsistence will restart January 5th and run
8 through March 31st. We -- to help people get the
9 permits, we have run extended office hours which we
10 really had to move up with the earlier start of the
11 moose season this year, to the middle of July and ran
12 it again until 6:00 p.m. for the first week to help
13 people get their permits and get out in the field. We
14 also went out to remote locations, Selatna and Paxson,
15 and issued permits there too. And then I've included a
16 table showing just a quick outline of the number of
17 permits we've issued the last five years and the kill
18 on that and the percent success. If you notice for
19 1994, it was pretty poor for both moose and caribou.
20 Part of the reason on the moose was that the Tiekell
21 Block was not available because of a filing down there
22 that precluded federal subsistence hunting on the
23 pipeline corridor and other lands down there.

24
25 Also, it was a matter of staffing for us too
26 in that I needed someone to research that in better
27 detail. We finally have a second realty person out in
28 Glennallen now and that's why we were able to clear up
29 some questions. In other words, if there's any
30 question, I can't open it because I go to jail. So.
31 But even with -- we also, to help the hunters out
32 there, we issued a much larger scale map than the one
33 that's in your booklet under Unit 13. If you look at
34 that you need a magnifying glass, a big one, to see
35 much detail there. And so we issue a two-page map
36 that's a quarter inch to the mile so that helps people
37 determine the limited holdings out there. The BLM has
38 less than a million acres out there now. So we're the
39 minority landholder out there. Now I'm assuming that
40 state selected lands are going to be conveyed to the
41 State. Yes, we do have interim management on a lot of
42 land, but those are not available for subsistence.

43
44 For caribou, it was interesting out there, the
45 caribou were -- for the last time -- were not avail-
46 able. They weren't near the highway system for most of
47 the hunt. And then when the bell rang September 20th,
48 they all crossed and went to Canada and they didn't
49 come back. None of them turned around at all. And so
50 there was virtually no winter hunt. This year, as I've
51 mentioned in this report, it does look a lot better.

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1 The animals are milling around. We've seen more
 2 animals going west now than east. And there have been
 3 a number of crossings on the Richardson Highway. The
 4 hunt out there -- a lot of it occurs on the highway.
 5 There's animals taken by track vehicles, four wheelers,
 6 by boat on the Gulkana River and Tangle Lakes, where
 7 the wild and scenic river corridors are.

8
 9 The herd has continued to grow out in that
 10 area. The Nelchina herd is up to 50,000 animals --
 11 49,800 which is 6,000 over 1994. I took part in those
 12 hunts -- in those counts in June and the counts were
 13 validated by aerial photos. So we think our count
 14 technique is pretty accurate. They also counted all
 15 the animals in the aerial photos too. And this was in
 16 the calving area and they did it like, I mean, we were
 17 coming back to get gas and the aerial photo plane was
 18 going out. So they did it immediately after we
 19 finished our counts. I counted 10,000 animals myself.

20 So the herd is continuing to grow. It is showing --
 21 Bob Toby (ph) is the state biologist out there, has
 22 informed me that he's gotten more information about the
 23 range condition deteriorating in the calving area which
 24 is the one consistent thing out there. The animals do
 25 consistently come back to that calving area. I've only
 26 been out there two years so I get a lot of my informa-
 27 tion from Bob Toby and from residents out in the area.

28
 29 We do hope this next season to redo the range
 30 plots out there so we'll have an accurate determination
 31 of what the vegetation's condition is. There was also
 32 -- I included a comment here about the state caribou
 33 regulations change for '95/'96 and there's no longer a
 34 half mile restriction to hunt along the Trans-Alaska
 35 Pipeline. So this has the effect of opening up the
 36 Richardson Highway from Sourdough to Paxson, which is
 37 the main crossing area to the Tier Two (indiscernible -
 38 cough) of which there's either 10 or 12,000 of them. I
 39 lost track of how many permits they finally issued
 40 there. That was of concern to us as to whether or not
 41 we'd have a significant firing line situation. But as
 42 yet, that has not developed.

43
 44 We did conduct one flight just recently -- the
 45 BLM did, September 24th -- for a couple of law
 46 enforcement reasons and while they were out, I asked
 47 them to check where the herd was and they found that a
 48 significant portion of the herd seems to be around Lake
 49 Louise/Crossman Lake area. So they are still in the
 50 area. And hopefully they will stay there for the
 51 winter hunt too. The state has an additional hunt this

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1 year for the Tier Two hunters. It's a November hunt
2 that goes from the 15th of November, I believe, through
3 December 31st. So the state Tier Two hunters have a
4 third opportunity that the federal hunters do not have
5 this year.

6
7 You know, for the moose, again the Teikel area
8 was open this year. Our preliminary interviews with
9 hunters show that it was a better hunt. The chairman
10 confirmed that earlier. We had a lot more satisfied
11 people out there. But unfortunately, we don't have any
12 -- the hunt closed the 20th of September but we don't
13 have any of the data yet. Cards are still coming in so
14 we'll be able to report on that later to you.

15
16 And again, the Glennallen district continues
17 to have problems -- management problems. It's more
18 difficult with the selection process out there and
19 trying to keep land status clear for people to go out
20 and hunt in the right areas and not get a ticket for
21 hunting on state land. And we were able to get the
22 Tiekel Block reopened by clearing the top filing (ph)
23 that had occurred in there. And we remain committed to
24 maximizing the harvest of subsistence animals in Unit
25 13 for the rural residents. Questions?

26
27 CHAIRMAN EWAN: I just want to comment. I,
28 over the years, we've had a very good relationship with
29 you people out there. I think you managed that very
30 well. I compliment you on that.

31
32 MR. COFFEEN: You will be getting some stuff
33 in the mail. There is a beetle kill timber sale in
34 progress down -- the paperwork's cranking through --
35 down by pump station 12 in those areas where you see
36 all the dead spruce. But that will just improve
37 habitat down there when they log some of that. I don't
38 see that as a negative for the moose populations down
39 there.

40
41 MR. BASNAR: Yes. You mentioned concern for
42 the habitat. Is that overgrazing or are we talking
43 extensive four wheeler damage or a combination?

44
45 MR. COFFEEN: Again, I've only been out there
46 two years but I must admit I've been impressed with the
47 number of track vehicles. In fact we had an individual
48 come in to the office during the moose hunt and
49 complain that the trails had been pushed in 20 miles
50 further and they'd finally gotten into his area where
51 he normally flew in. Not at the calving area is an

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1 overgrazing problem. In other words, the herd peaked
2 -- I'd have to check a few of the numbers -- but the
3 herd peaked years ago at about 60 to 70,000, I believe.
4 And they don't want it to do that again. So that's
5 why they issued more permits to try to shave off that
6 population and get it back down into the low 40s if
7 possible, or high 30s which is more of a sustainable
8 level where the range won't deteriorate.
9

10 MR. BASNAR: Do you have concern -- or some of
11 your people that have been here longer than you have --
12 have a concern for this massive influx of off-road
13 vehicles in the area?
14

15 MR. COFFEEN: Yes, but a lot of those are
16 going to be in state land. So they will have to
17 address it.
18

19 MR. BASNAR: Thank you.
20

21 CHAIRMAN EWAN: You're talking about the
22 Eureka area right? To have to -- I mean the feeding
23 area and all that?
24

25 MR. COFFEEN: The areas that -- in other
26 words, looking out of the plane focusing on the ground
27 caribou there, intensively focusing, there weren't a
28 lot of -- I don't remember a lot of vehicle tracks in
29 that area. We were like 20 miles -- 25 miles north of
30 Eureka, almost to Mud Lakes and I don't remember seeing
31 a lot of vehicle tracks there. On the way, oh yeah,
32 with all the mining activity and stuff, there's a
33 large number of trails.
34

35 CHAIRMAN EWAN: Fred.
36

37 MR. JOHN: The Nelchina herd continue to grow,
38 you say?
39

40 MR. COFFEEN: Yes.
41

42 MR. JOHN: You got a reason why or...
43

44 MR. COFFEEN: Probably because of the poor
45 hunt in 1994. And also that they left the area, so
46 they had to deal with the predators out of that area --
47 out of the area too whether it would be -- whether the
48 wolf packs are up in numbers that we hear about. But,
49 in other words, it was a good year for them,
50 definitely.
51

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1 MR. OSKOLKOFF: Mr. Chairman, there seemed to
2 be some concern last year when we were discussing
3 having a subsistence hunt on the Kenai Peninsula that
4 there would be an influx of hunters to your area. Have
5 you noticed anything like that this year?
6

7 MR. COFFEEN: The weather was really poor. We
8 had a lot of rain, storms and I was out with our BLM
9 ranger on the Denali Highway and Richardson Highway.
10 And I just did not see large numbers of hunters out.
11 And I haven't got the track record to see -- you know,
12 I would need to talk to the state wildlife trooper and
13 see if he was seeing the same groups of people. They
14 move around -- you know, the concentrations move, you
15 know. And this year, it was the Swede Lake trail which
16 I don't advise even trying to go down in hip waders
17 right now. It really got torn up. But so we had like
18 50, 70 vehicles at the trail head there which, those
19 were further west last year. So...
20

21 CHAIRMAN EWAN: Gary, maybe I could help to
22 answer your question. I think the reason probably
23 there weren't too many people out there this year is
24 because the caribou, kind of, stayed away from the
25 highway. That is one of the things that he mentioned
26 in his report, they're in the Lake Louise area.
27 They're not near the road there, right?
28

29 MR. COFFEEN: No. In fact, when they moved
30 across, they were south of the Alphabets (ph) which is
31 a long haul for somebody on a four wheeler. And that's
32 where -- at the Swede Lake trailhead, those were all
33 track vehicles and big trailers with four wheelers on
34 them and they were taking lots of gas. They were
35 having to go across the Gulkana and the other -- and
36 south of the Alphabets. So, 35, 40 miles in. And then
37 groups were coming out -- what we saw was, you know,
38 four hunters and one caribou.
39

40 MR. OSKOLKOFF: The reason I ask is that the
41 numbers that you generated in your report here and in
42 the memorandum, seem to be that the numbers were either
43 static or actually low, perhaps, for the last five-year
44 average.
45

46 MR. COFFEEN: Yes.
47

48 MR. OSKOLKOFF: And so it wouldn't account for
49 a large influx.
50

51 MR. COFFEEN: Well, see what happens...

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1
2 MR. OSKOLKOFF: That's why I wanted another
3 perception, yeah.
4

5 MR. COFFEEN: Yeah. I'll be real excited to
6 report '95 because it appears to be a better hunt.
7

8 CHAIRMAN EWAN: Ralph.
9

10 MR. LOHSE: Even with the take, so far, it
11 appears -- you mean, it appears like it has the
12 potential to be a better hunt or it appears like it's a
13 better hunt to this point in time?
14

15 MR. COFFEEN: It appears that at this point in
16 time it's a better hunt. And it looks like for the
17 caribou, we're going to have a good winter hunt because
18 of the way they're circulating in the area and not just
19 leaving. Last year it was just a directed movement.
20 There was no stop.
21

22 CHAIRMAN EWAN: All right. Any...
23

24 MR. LOHSE: Can I ask him one? That's -- you
25 don't have the reports on the Mentasta caribou,
26 that's...
27

28 MR. COFFEEN: No, that's the other thing.
29 This is just BLM data.
30

31 MR. LOHSE: This is just BLM...
32

33 MR. COFFEEN: Data, right.
34

35 MR. LOHSE: ...Nelchina caribou?
36

37 MR. COFFEEN: Yes.
38

39 MR. LOHSE: Okay.
40

41 CHAIRMAN EWAN: I don't have anything else.
42 Does anybody? Lee? Thank you very much. I want to
43 mention for the record. Yesterday somebody asked me
44 about the caribou -- the moose hunt. I think it was
45 Ralph that asked me. My information is unofficial, you
46 know, just word of mouth. People telling me that they
47 got a moose here and there. Now there's nothing
48 official about what I said yesterday about the number
49 of take in the moose hunt.
50

51 (7485)

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1
2 (Tape: 310-1845)
3 (0020)
4

5 CHAIRMAN EWAN: The next agency will be
6 Wrangell-St. Elias National Park.
7

8 MR. GREENWOOD: Chairmen and council, I'm
9 Bruce Greenwood, National Park Service. I've been
10 asked speak on behalf of Wrangell/St. Elias National
11 Park and Lake Clark National Park and Preserve. And
12 neither people could come down. And I also -- I talked
13 to them in a phone call. They said they didn't have
14 any new information to present. So that was really
15 what I wanted to say. And regarding your question
16 regarding the Mentasta herd, if you would like a report
17 at the winter meeting, we could arrange to have the
18 wildlife biologist to be out here to give a report on
19 that.
20

21 MR. LOHSE: I'd like to know, you know, since
22 that was one of the reasons that we didn't have a hunt
23 there, I'd like to know what's -- at least an update on
24 what's going on with Mentasta.
25

26 CHAIRMAN EWAN: In my observation, it hasn't
27 improved any.
28

29 MR. LOHSE: Yeah.
30

31 CHAIRMAN EWAN: Yeah. I didn't see a moose
32 where I go hunt. That's Unit 11. I didn't see one
33 caribou.
34

35 MR. LOHSE: You mean no caribou, yeah.
36

37 MR. GREENWOOD: So would you like to have that
38 for the next meeting?
39

40 CHAIRMAN EWAN: Sure.
41

42 MR. LOHSE: I would -- you know, just a short
43 little blurb as to, you know, calf survival and the
44 population trends an stuff like that on it.
45

46 MR. GREENWOOD: Okay, we'll plan on doing
47 that. Thank you.
48

49 MR. BRELSFORD: At the winter meeting?
50

51 ~~MR. LOHSE: At the winter meeting. That's~~

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1 February meeting, right?
2
3 MR. BRELSFORD: Right.
4
5 MR. LOHSE: That's the spring meeting, okay?
6
7 CHAIRMAN EWAN: Okay, the next...
8
9 MR. BASNAR: It may be spring in Cordova but
10 it ain't up in Cantwell.
11
12 CHAIRMAN EWAN: The next agency is Lake Clark
13 National Park and Preserve.
14
15 MR. LOHSE: He already said -- he already told
16 us.
17
18 CHAIRMAN EWAN: Oh, you already -- you covered
19 that one too? How about the Denali?
20
21 MR. TWITCHELL: Council members, Chairman.
22 I'll just touch on a couple of issues, keep it pretty
23 brief. The moose hunt on the south side in Unit 13E
24 around the Cantwell community area, we average 40
25 permits a year, one moose per household. So what we
26 saw this year was the increased year hunt, another 30
27 days. That's starting the 1st of August. A number of
28 people began their efforts early and took moose early
29 on in the early part of August whereas, most of the
30 people tend to prefer to hunt later in September when
31 leaf fall was down and it's easier to see and locate
32 moose. Since the season ended the 20th of this month,
33 we don't have any harvest information for you for this
34 year. In past years, the harvest levels have varied
35 between 10 moose to down to as low as one. Ten moose
36 early on in the '90s before selective lands became an
37 issue where federal subsistence Title 8 doesn't occur
38 on selected lands. AHTNA has a number of acreages
39 right around the community of Cantwell inside of
40 Denali. And once those lands were not open to the
41 subsistence program, the harvest levels decreased
42 pretty significantly since that was the primary area
43 that they utilized in the past. So I would expect this
44 year's harvest, even with the increased season, to
45 somewhere fall within that range of -- usually three is
46 about the average -- from three to ten.
47
48 The caribou permits we issue, around 80
49 permits for individuals. Since there's two permits per
50 individual, that's about 160 caribou permits. The
51 caribou are not present in any significant numbers in

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1 the fall time in the Denali area. So harvests -- we
2 just don't see any of them this time of the year.
3 Primarily in the winter hunt is when that occurs. So
4 we have no harvest information for this year's caribou
5 aspect in the 13E Cantwell community area.
6

7 The second and last issue I was going to
8 mention is that the park is revising its south side
9 development concept plan which was developed to try to
10 increase access and use of Denali National Park on the
11 south side of the Alaska Range. That initial planning
12 effort came forth with a number of proposals that
13 generated a lot of controversy and a lot of objections.

14 As such, the park service has gone back and revisited
15 that plan and is coming out this fall with a revised
16 version in which case, the development proposals on
17 Denali parklands has been pretty much eliminated. So
18 that those development proposals are now focused on
19 Denali State parklands adjoining the national park.
20 Only two aspects of this revised plan involve Denali
21 National Parklands and that would be trails that come
22 out of the south visitor's center in Denali State Park
23 up to the alpine zones in Denali National Park. There
24 will be fairly short trails and very limited in
25 development. And those are focused in areas near the
26 Peters and Dutch Hills farther to the south.
27

28 There's no development proposed in the
29 Cantwell area which generated a lot of concern by
30 Denali's SRC which was substantiated by this
31 commission's support of the SRC's position. So you'll
32 see no trail development, campgrounds, cabins, or
33 anything such as those developed up in that northern
34 region. That's all I had.
35

36 MR. LOHSE: How did the Kantishna hunt go?
37 The one that we discussed with the moving of the lines
38 back and things like that?
39

40 MR. TWITCHELL: After discussing it with you,
41 this particular council, I went to the Eastern Interior
42 Regional Council and presented the same proposal to
43 them. They supported the closure as it was drafted and
44 modified by Denali SRCs. That then went to the federal
45 board at their winter meeting and the federal board
46 deferred action on that particular proposal and
47 included language that the agency itself deal with the
48 situation through its own regulatory proposals. We
49 then went back to Denali's SRC and asked the SRC how
50 they wanted the agency to proceed. And they passed a
51 motion that the agency should go ahead, through its own

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1 regulatory process and deal with a temporary reoccur-
2 ring closure in that area. We did not have the time to
3 initiate the public input and process period between
4 the SRC's meeting and the beginning of the hunt.
5

6 So what the agency did this year was -- did a
7 temporary closure in which we closed the area from the
8 1st of September 'til the 15th of September. That is
9 the time when moose hunting activity would occur.
10 Moose hunting opens September 1st and goes through
11 September 30th. And we limited that firearms discharge
12 prohibition to the 10-mile square area in the hotels
13 and the visitor's center facilities. The remaining
14 areas out side that development zone remained open for
15 people -- subsistence users to continue to use. After
16 the 15th when the lodges close down and visitors'
17 safety factor was no longer a concern, that closure is
18 lifted and they could continue to hunt in that lower
19 developmental zone as well from the 15th through the
20 30th. No one has come through and stopped in to get
21 their road access permit to go in as of yet. There's
22 still several days left in the season, so we may see
23 other people coming in. While in Cantwell issuing the
24 permits for the south side hunt, three individuals
25 indicated they were going to go in and hunt the
26 Kantishna this year. So we'll have to -- we'll see
27 what happens.
28

29 MR. LOHSE: But they have a limited time.
30 They haven't gone in and hunted yet though?
31

32 MR. TWITCHELL: No, they have not.
33

34 MR. LOHSE: And did you have any hunters in
35 that first 15-day area when the campground area was
36 closed and the other part was open?
37

38 MR. TWITCHELL: No.
39

40 MR. LOHSE: So you basically haven't had any
41 hunters in that valley yet?
42

43 MR. TWITCHELL: That's correct.
44

45 CHAIRMAN EWAN: I don't know if you have this
46 information, but generally the moose and the caribou
47 population, are they pretty much stable in the area, do
48 you think?
49

50 MR. TWITCHELL: We consider the north side
51 moose population to be stable. The last really

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1 detailed survey we did was in '91. So it's been
2 several years since we've really taken a careful look
3 at the whole northern side of the range. We went out
4 last year and surveyed a limited area from Minchumina
5 and back to the Kantishna Hills, an area that was not
6 surveyed in the '91 survey, and basically found what
7 the state and what we expected to find, relatively low
8 densities of moose in that area. It's interior boreal
9 forest flatlands and we came out with a density of .3
10 moose per square mile, which is pretty much what
11 everyone expected to see. So there was nothing unusual
12 to report there.

13
14 The south side and the Cantwell area, we
15 didn't get in there last year but the past three
16 winters, we surveyed that area and we surveyed it in
17 November. And we see quite a density of moose in that
18 area since it's a winter grounds. And by the time we
19 survey in late November, it has some pretty good
20 density of moose. The primary drainage around
21 Cantwell, we see about 130, 140 moose at the highest
22 count in that one drainage alone, which is not typical
23 of the fall time population. The overall counts -- or
24 overall moose that were seen in that south side survey
25 averages about 230 to 280 moose, depending on the year.
26 Those moose do not all reside within Denali Parklands.
27 The majority of those reside in the Broad Pass area
28 which would be adjacent State and Native lands as well.
29 But they tend to utilize the park specifically for
30 over wintering ground.

31
32 CHAIRMAN EWAN: Any other questions? If not,
33 thank you very much. I think that takes care
34 of all the agencies. Did I miss any?

35
36 MR. BASNAR: The State of Alaska.

37
38 CHAIRMAN EWAN: No, Ted -- was Ted with the
39 State of Alaska, right?

40
41 MR. LOHSE: Yeah.

42
43 CHAIRMAN EWAN: Okay. Any other reports? If
44 not, I guess we're done for the day. Any objection to
45 recessing now? We'll recess until 8:30 a.m. Now in
46 recess.

47
48 (0369)

49
50 (Off record - 4:45 p.m.)
51

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